

## ARTICLE 23. SHORT-TERM RENTAL PROPERTY

- 23.1 PURPOSE
- 23.2 DEFINITIONS
- 23.3 ZONING AND RESIDENTIAL TYPE RESTRICTIONS
- 23.4 PERMIT REQUIRED
- 23.5 PERMIT TYPES AND USE STANDARDS
- 23.6 PERMIT APPLICATION, PROCEDURE, EXPIRATION, AND RENEWAL
- 23.7 LOCAL REPRESENTATIVE REQUIRED
- 23.8 HEALTH AND SAFETY STANDARDS
- 23.9 FEES AND TAXES
- 23.10 VIOLATIONS, PENALTIES, AND ENFORCEMENT
- 23.11 EXISTING SHORT-TERM RENTAL PROPERTY
- 23.12 APPEALS

### 23.1 PURPOSE

- A. This Article shall apply to only short-term rental properties, as defined herein. A short-term rental property may be known, cited, or referred to as “short-term rentals” or “STR.”
- B. The purpose of this Article is to establish regulations, standards, and a permit registration process governing the renting of privately owned residential dwelling units on a short-term basis; ensure the collection and payment of sales and occupancy taxes, as established in the Caddo Parish Code of Ordinances; ensure that short-term rental activities do not threaten the character of residential neighborhoods; ensure the protection of the existing housing rental stock; and ensure that such short-term rental activities do not become a nuisance or threaten the public health, safety or welfare of neighboring properties.
- C. This Article shall not supersede any private conditions, covenants, or restrictions applicable to a short-term rental property.

### 23.2 DEFINITIONS

For purposes of this Article, the following terms shall have the following meanings:

**Commercial Meetings.** Commercial meetings include, but not limited to, luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other similar gatherings for direct or indirect compensation.

**Host.** Any person, who is the owner of a record of residential real property, or the lessee of residential real property under a written agreement for the lease of such real property, who offers that dwelling unit, or portion thereof, for short-term rental property either through a hosting platform or individually.

**Hosting Platform.** A marketplace, in whatever form or format, facilitates short-term rental property through advertising using any medium of facilitation, and the form in which the host uses the said platform to derive revenue, including booking fees or advertising revenue, from providing or maintaining the marketplace.

**Local Representative.** An individual locally located during the entire length of the short-term rental period who has access to the licensed premises and is authorized to make decisions regarding the licensed premises.

**Professional Property Management Firm.** An entity that is comprised of one or more professional property managers who oversee the operation, control, and maintenance of the real estate and physical property. This can include residential, commercial, and land real estate.

**Professionally Managed Short-Term Rental:** A short-term rental that is managed, operated, or controlled by a professional property management firm that oversees the operation, control, and maintenance of a short-term rental.

**Resident.** An individual or family who resides in the dwelling unit. The resident can be the owner or host of the short-term rental.

**Short-Term Rental Permit.** A permit, issued by the Office of the Metropolitan Planning Commission, stating that the applicant is using a residential dwelling unit, accessory dwelling unit, or any room therein, as a short-term rental and that the said residential dwelling unit, as stated in the application, is up to code and complies with all health and safety regulations. There are three types of short-term rental permits: 'Type A,' 'Type B-1' and 'Type B-2.'

**Short-Term Rental Permit 'Type A'.** A Short-Term Rental Permit 'Type A' is the permit required for a host to rent a portion of a dwelling unit (i.e., individual bedroom or bedrooms) or an accessory dwelling unit (i.e., garage apartment or carriage house) is rented by a host to overnight guests. Commercial meetings, special events, or any other similar event as defined by this Article, which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood are prohibited as part of any short-term-rental operation.

**Short-Term Rental Permit 'Type B'.** A Short-Term Rental Permit 'Type B' is the permit required for a host to rent an entire dwelling unit to overnight guests. A Short-Term Rental Permit 'Type B' can either be a 'Type B-1,' which is approved administratively by the Zoning Administrator, or a 'Type B-2,' which requires approval by the Zoning Board of Appeals. Commercial meetings, special events or any other similar event as defined by this Article which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood are prohibited as part of any short-term-rental operation.

**Short-Term Rental Property.** A residential dwelling unit, accessory dwelling unit, or any room therein, available for rent for a term of less than thirty (30) consecutive calendar days, but excluding bed and breakfast and single-room occupancy.

**Short-Term Renter.** A person who exercises occupancy, or is entitled to occupancy as a short-term rental, because of concession, permit, right of access, license, or other agreement for a period of thirty (30) or fewer consecutive calendar days. Portions of days shall be counted as full calendar days.

### 23.3 ZONING AND RESIDENTIAL TYPE RESTRICTIONS

- A. Any short-term rental property shall only operate in the allowable zoning districts as indicated within the Use Matrix, as described in Article 5 of this Code.
- B. A short-term rental property is only allowed in the following residential structure types:
  - 1. Single-Family Residence, Detached (e.g., a stand-alone single-family dwelling unit)
  - 2. Single-Family Residence, Attached (e.g., a duplex, containing two units, where each unit is on a separate lot)
  - 3. Two-Family Dwelling Unit (e.g., a duplex, on one lot, containing two units)
  - 4. Multi-Family Unit (e.g., an apartment or triplex)
  - 5. Townhouse
  - 6. Accessory Dwelling Unit (as allowed per the Use Matrix in Article 5 of this Code)
  - 7. A Mixed-Used Property (e.g., residential dwelling above the ground floor)
  - 8. A Manufactured Home

### 23.4 PERMIT REQUIRED

No person or entity shall operate a short-term rental property, or advertise a residential property for use as a short-term rental, without the owner of the property first having obtained a short-term rental permit, either 'Type A,' 'Type B-1' or 'Type B-2,' as described in Section 23.5 of this Article, issued by the Zoning Administrator, or their designee.

### 23.5 PERMIT TYPES AND USE STANDARDS

Any host wishing to rent their dwelling unit, or portion thereof, for short-term rental, shall apply for one of the following short term rental types:

#### A. Short-Term Rental Permit, 'Type A'

1. **When Required.** A Short-Term Rental Permit 'Type A' is required when a portion of a dwelling unit (i.e., individual bedroom or bedrooms) or an accessory dwelling unit (i.e., garage apartment) is rented by a host to overnight guests and no commercial meetings are held. Maximum occupancy of the short-term rental property shall comply with the approved short-term rental application.
2. **Notification.** As part of the application submittal process for a Short-Term Rental Permit 'Type A,' the applicant must prepare a notification letter that describes the operation and the number of bedrooms that will be rented to overnight guests and how to contact the owner or host by phone. The notification letter shall be mailed or delivered to all recognized organizations and owners of property abutting and directly across the street from the short-term rental upon issuance of the short-term rental permit. A copy of the notification letter and list with the names and addresses of all property owners and organizations that received said notification is required at the application submittal.
3. **Administrative Approval.** A Short-Term Rental Permit 'Type A' may be approved administratively by the Zoning Administrator.
4. **Allowed Structure Type.** A short-term rental property that requires a Short-Term Rental Permit 'Type A' is allowed only in the residential structure types as described in Section 23.3 of this Article.
5. **Accessory Dwelling Units.** On sites with an accessory dwelling unit, the resident can live in the primary or accessory dwelling unit and rent bedrooms in either dwelling unit.
6. **Number of Overnight Guests.** The total number of adults occupying a dwelling unit with an approved Short-Term Rental Permit 'Type A' may not exceed two (2) adults per bedroom.
7. **Parking.** Parking for Short-Term Rental Permit 'Type A' properties shall comply with all applicable residential parking provisions as described in Article 9 of this Code. All vehicles shall be parked in designated parking areas, and parking is prohibited in any landscaped area.
8. **Advertising.** All advertisements for any short-term rental property, as defined in this Code, must list the short-term rental permit number.
9. **Special Events Prohibited.** Weddings, corporate events, commercial functions, large parties, and other similar events which have the potential to cause traffic, parking, noise, or other impacts to the neighborhood are prohibited as part of any short-term-rental operation.

#### B. Short-Term Rental Permit, 'Type B'

1. **When Required.** A Short-Term Rental Permit 'Type B' is required when a host rents an entire dwelling unit to overnight guests. A Short-Term Rental Permit 'Type B' can either be 'Type B-1' or 'Type B-2'. Maximum occupancy of the short-term rental property shall comply with the approved short-term rental application.
2. **Notification.** As part of the application submittal process for a Short-Term Rental Permit 'Type B,' the applicant must prepare a notification letter that describes the operation and the total number of allowed overnight guests, and how to contact the owner or host by phone. The notification letter shall be mailed or delivered to all recognized organizations and owners of property abutting and directly across the street from the short-term rental upon issuance of the short-term rental permit. A copy of the notification letter and list with the names and addresses of all property owners and organizations that received said notification is required at the application submittal.
3. **Administrative Approval.** A Short-Term Rental Permit 'Type B-1' may be approved administratively by the Zoning Administrator if the total number of allowable overnight guests of the proposed short-term rental does not exceed ten (10) adults, nor does the proposed short-term rental property require special exception use approval due to distancing requirements.
4. **Special Exception Use Approval.** A Short-Term Rental Permit 'Type B-2' may only be allowed as a special exception use, and requires review and approval by the Zoning Board of Appeals per the requirements of Section 16.6 when:

- a. **Number of Overnight Guests.** The host of a short-term rental property requests the total number of allowable overnight guests to exceed ten (10) adults.
- b. **Distance Requirements.** No more than three (3) approved 'Type B' short-term rental permits shall be located within a 500 foot radius of an approved short-term rental permit, as measured from a point of the lot line on which such use is proposed to be located to the nearest point on the lot line on which any other of the same user is located, without the approval of a special exception use by the Caddo Parish Planning and Zoning Commission.
- c. **Discretion of the Executive Director.** At any time during the review process for a Short-Term Rental 'Type-B' Permit, the Executive Director may determine that administrative approval is not appropriate and that special exception use approval shall be required if the proposal will not be compatible with the adjacent and surrounding properties or if the applicant fails to meet the any standards for the permit as described herein.
- d. **Exceptions.** Only 'Type B' permit applications have STR distance requirements. No Short-Term Rental Permit 'Type A' application is subject to distance requirement under this Code, nor will any approved Short-Term Rental Permit 'Type A' property trigger any distance requirements for a proposed Short-Term Rental Permit 'Type B' application.
- e. **Reserved.**
- f. **Special Exception Use Approval Standards of Short-Term Rentals.** The Caddo Parish Planning and Zoning Commission or, on appeal, the Caddo Parish Commission, must consider the following approval standards for short-term rentals.
  - i. **Health and Safety.** Whether the design, location, and operating plans must be such that the public health, safety and/or welfare is protected.
  - ii. **Land Use.** Whether the proposed special exception use is compatible with the general land use of adjacent properties and other property within 300 feet.
  - iii. **Neighborhood Impact.** Whether the proposed short-term rental will adversely affect the neighborhood character.
  - iv. **Parking.** Whether the proposed special exception use is in compliance with the required parking standards for the designated land use (i.e., with there be sufficient parking to accompany a short-term rental).
  - v. **Contact Information.** Whether the applicant or authorized agent has provided information sufficient to verify a qualified person will be available to be contacted about use of the short-term rental during and after business hours.
  - vi. **Notice to Neighbors.** Has the licensee or authorized agent either mailed, or otherwise distributed by hand, a flier to neighbors within a 500-foot radius of the short-term rental property address outlining the proposed use and owner or representative contact information.

**Note: All existing short-term rental properties, as of the effective date of this Article, that do not meet the spacing requirement are deemed conforming. Such deemed conforming status is terminated when the short-term rental property ceases to operate or when any required permits are revoked or not renewed.**

- 5. **Allowed Structure Type.** A short-term rental property that requires a Short-Term Rental Permit 'Type B-1' or 'Type B-2' is allowed only in the residential structure types as described in Section 23.3 of this Article.
- 6. **Parking.** Parking for Short-Term Rental Permit 'Type B-1' or 'Type B-2' properties shall comply with all applicable residential parking provisions as described in Article 9 of this Code. All vehicles shall be parked in designated parking areas, and parking is prohibited in any landscaped area.
- 7. **Advertising.** All advertisements for any short-term rental property, as defined in this Code, must list the short-term rental permit number.

8. **Neighborhood Participation Plan.** The Executive Director, or their designee, may require the applicant of a Short-Term Rental Permit 'Type B-1' or 'Type B-2' to participate in the Neighborhood Participation Plan, as described in Section 15.4 of this Code, due to the short-term rental property's sensitive nature, proximity to the neighborhood or where unusual circumstances, common sense and good judgment dictate. The Executive Director will evaluate each Type B Short-Term Rental Property application on a case-by-case basis and decide accordingly.

### **23.6 PERMIT APPLICATION, PROCEDURE, EXPIRATION, AND RENEWAL**

- A. The Office of the Metropolitan Planning Commission, along with the Caddo Parish Finance Department, shall develop a short-term rental property application packet with all operational requirements, as required within this Code and the Caddo Parish Code of Ordinances. Said application shall be submitted by any potential host or property owner at least thirty (30) days before beginning any short-term rental operations with the jurisdiction of the PZC.
- B. A short-term rental permit shall expire two (2) years after it is issued. Short-term rental permits may be renewed upon the payment of a renewal fee to cover the applicant renewal screening. All renewal requests are encouraged to be received at least 30 days prior to the expiration date for their existing permit.
- C. A short-term rental property permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a short-term rental property on that property. A short-term rental permit does not run with the land.
- D. All short-term rental permits shall require annual registration when the title of the short-term rental transfers to a new owner or when any changes in ownership of a short-term rental property occur.
- E. A short-term rental permit may be renewed every two (2) years if the operator completes the following, as applicable: (1) pays the renewal fee; (2) provides information concerning any changes to the previous application for, or renewal of, the short-term rental property registration; (3) submits records for the last year to demonstrate compliance with this Article; and (4) provides the 3 years of the property tax reporting and revenue tax reporting. Failure to submit a renewal application to the MPC at least thirty (30) days prior to the expiration of the registration shall render the registration and permission to operate a short-term rental property null and void.
- F. At least thirty (30) days prior to any advertising of a short-term rental property, the owner, host, or property management firm shall register the short-term rental property with the Office of the MPC, on forms supplied by the Office of the MPC. For professionally managed short-term rental property, registration for multiple short-term rental properties may be made by filing a complete list of all the short-term rental property within the Planning Limits of the PZC, managed by such firm, on forms supplied by the Office of the MPC and the list shall be updated at least quarterly.
- G. No short-term rental application shall be accepted without signature by the owner or the property management firm, under penalty of perjury, acknowledging that the short-term rental is in habitable condition and complies with the health and safety standards set forth in this Article.

### **23.7 LOCAL REPRESENTATIVE REQUIRED**

- A. Each owner or property management firm shall appoint a person who is available twenty-four (24) hours per day, seven (7) days per week, to serve as the local representative for the short-term rental and shall respond on-site within sixty (60) minutes to complaints regarding a condition or operation of the short-term rental or the conduct of the short-term renters; and take remedial action to resolve any or all complaints.
- B. The owner or property management firm shall notify the Zoning Administrator or designee in writing of the appointment of a local representative within seven (7) days of such appointment or modification of any such appointment, including contact information.

### **23.8 HEALTH AND SAFETY STANDARDS**

Each short-term rental property, at all times, shall comply with the following standards, as well as any property standards and fire prevention standards established in the Caddo Parish Code of Ordinances, while the short-term rental is occupied:

- A. Buildings, structures, or rooms shall not be used for purposes other than those for which they were designed or intended.
- B. Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they may be normally subjected and shall be kept in sound condition and in good repair.
- C. Smoke detectors, carbon monoxide detectors, and fire extinguishers shall be installed and operable, and all wood-burning fireplaces and stoves shall be cleaned on an annual basis.
- D. An operable toilet, sink, and either a bathtub or shower shall be located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.
- E. The appropriate level of trash and recycling receptacles should be maintained so there is no overflow of trash and recycling on the property.
- F. Maximum occupancy of the short-term rental property shall comply with the approved short-term rental permit type, as described on the approved short-term rental application.

### **23.9 FEES AND TAXES**

- A. All fee(s) for short-term rental property shall be set forth by the Caddo Parish Commission.
- B. For each short-term rental property, all applicable Parish Sales Taxes, as well as any Occupancy Taxes, shall be timely collected and remitted.
- C. All professionally managed short-term rental property may submit one tax payment for multiple properties, so long as there is sufficient supporting information to identify each individual short-term and the taxes collected on such short-term rental.

### **23.10 VIOLATIONS, PENALTIES, AND ENFORCEMENT**

- A. It is unlawful to violate any provision of this Article. Each day of violation shall be deemed a separate offense and be punishable as such.
- B. Violation of any term, condition, requirement, or duration of a short-term rental permit approved under this Article is unlawful, and will constitute a violation of this Code, and will subject the violator to the penalties set forth in Article 19 (Enforcement). In addition, the short-term rental permit may be revoked or suspended following public hearings by the Caddo Parish Planning and Zoning Commission and the Caddo Parish Commission, if appealed.
- C. Enforcement of this Article may be initiated in any of the following ways:
  - 1. The Zoning Administrator is authorized to administratively suspend or revoke any short-term rental permit, as well as issue any zoning violations to the property owner to which the short-term rental is operating, if:
    - a. The short-term rental permit holder, or the property owner of such short-term rental, were convicted of a violation of this Code, or local, state or federal law, in the course of operating such short-term rental; or
    - b. The short-term rental has endangered neighborhood safety or has a documented history of conditions interfering with the use and enjoyment of the property within its vicinity. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

- i. Occupancy by a number of short-term rental users exceeding either (1) the maximum number of allowed occupants included in the short-term rental permit application or (2) the maximum occupancy permitted pursuant to this article;
    - ii. Parking of a number of motor vehicles exceeding either (1) the maximum number included in the short-term rental permit application or (2) the maximum number of motor vehicles permitted at any short-term rental pursuant to this article;
    - iii. Uninvited entry of short-term rental occupants upon private property within 500 feet of the short-term rental;
    - iv. An act of violence has occurred within 500 feet of the short-term rental property that places the public safety at risk; or
  - c. If the Zoning Administrator determines that the operation of the short-term rental presents a present and pervasive threat to or disregard for public health and safety. In determining the existence of any present and pervasive threat to or disregard for public health and safety, the Zoning Administrator will consider the following:
    - i. The nature and extent of the violations of this Code, as well as local, state or federal law.
    - ii. The impact of any violations of this Code, as well as local, state or federal law upon unrelated parties.
    - iii. Actions taken by the short-term rental permit holder, or property owner of the short-term rental, to abate any violations of this Code, as well as local, state or federal law.
    - iv. The physical characteristics of the property where the short-term rental is located, including the proximity of the property to adjacent residential property, parks, churches, schools and playgrounds.
    - v. Whether any harassing or intimidating conduct, as prohibited by local, state or federal law, was committed or permitted by the short-term rental permit holder or the property owner of such short-term rental.
    - vi. The property on which the short-term rental is located has building code violations, there is no occupation license for the property, the property is being used in a manner not consistent with the permit issued for the short-term rental use, or the advertisement for the short-term rental does not include the short-term rental permit number, as required by this Article.
2. Authorized personnel from the Caddo Parish Finance Department may administratively revoke any short-term rental permit if they determine that the short-term rental permit is violating any applicable ordinances, statutes, rules, and regulations of the Parish and/or the State of Louisiana.
  3. Authorized personnel from the Caddo Parish Sheriff's Office may issue citations for any short-term rental if they determine that the short-term rental is violating any applicable ordinances, statutes, rules, and regulations of Caddo Parish. Any person violating the provisions of this Article shall be issued a citation, which shall be paid in the same manner as provided for offenders of local traffic violations.
  4. **Penalties.** In addition to any fines and any other remedies provided by this Code, the Zoning Administrator, in his or her discretion, and in addition to any other penalties as provided herein, may suspend or revoke any short-term rental permit as follows:
    - a. Upon the first violation, the permit for the short-term rental may be suspended for a time not to exceed thirty (30) days.
    - b. Upon the second violation, the permit for the short-term rental may be suspended for a time not to exceed ninety (90) days.
    - c. Upon the third violation, or if a violation merits immediate revocation, the permit for the short-term rental may be revoked. Upon the revocation of a short-term rental permit, and the short-

term rental permit holder and property owner are prohibited from re-applying for a new permit for that property for a period of no less than one calendar year.

5. **Notice of Revocation or Suspension Decision.** Upon determining that any short-term rental permit is suspended or revoked pursuant to this Article, the Zoning Administrator shall notify in writing the permit holder and property owner of such short-term rental of the facts and of the basis for suspension or revocation. Such notice shall advise the permit holder and property owner that any suspension or revocation may be appealed in accordance with the procedures set forth in Section 23.12 of this Article.
6. **Appeals.** If a short-term rental permit is administratively suspended or revoked, a short-term rental permit holder may appeal the Zoning Administrator's administrative decision to the Caddo Parish Planning and Zoning Commission within 30 calendar days from the date of the suspension or revocation. All appeals shall be addressed in accordance with the appeal procedures set forth in Section 23.12 of this Article.
7. **Subsequent Applications.** Once a short-term rental permit has been revoked, no new short-term rental permit shall be issued to the applicant for the same property for a period of one year from the date of revocation. Upon expiration of the revocation period, a new permit application for short-term rental use must be submitted in accordance with this Article.

### **23.11 EXISTING SHORT-TERM RENTAL PROPERTY**

- A. Any existing short-term rental currently operating within the jurisdiction of the Caddo Parish Planning and Zoning Commission's planning area, but outside of the corporate limits of the City of Shreveport, shall apply for registration, pursuant to this Article, within one hundred eighty (180) days after the effective date of this Article.
- B. All existing short-term rental properties, as described above, that have been operating prior to the effective date of this Article, shall have their application reviewed administratively.

### **23.12 APPEALS**

#### **A. Appeals of Administrative Decision by the Zoning Administrator**

Within thirty (30) days after the date of an administrative decision on a short-term rental permit approval, denial, renewal, revocation, or suspension by the Zoning Administrator, the applicant or any aggrieved party may appeal that decision to the Caddo Parish Planning and Zoning Commission.

#### **B. Appeals of Caddo Parish Planning and Zoning Commission**

1. Within ten (10) days after the date of a decision for any appeal of an administrative decision regarding a short-term rental permit by the Caddo Parish Planning and Zoning Commission, the applicant or any aggrieved party may appeal the PZC's decision to the Caddo Parish Commission.
2. Within 10 days after the date of the decision for any Special Exception Use approval for a short-term rental permit by the Caddo Parish Planning and Zoning Commission, the applicant or any aggrieved party may appeal the PZC's decision to the Caddo Parish Commission.

#### **C. Appeals of Caddo Parish Commission**

Within thirty (30) days after the date of the decision on an appeal for a short-term rental permit by the Caddo Parish Commission, the applicant or any aggrieved party may appeal the Caddo Parish Commission decision to Caddo Parish Civil District Court.