

AN ACT CREATING THE
"HOMEBUILT HOUSING ZONE"
OF THE CITY OF NEW ORLEANS

WHEREAS among the historic rights of New Orleanians has been the construction of their own dwellings;

WHEREAS the great majority of the smaller houses characteristic of New Orleans have been built through the action and responsibility of their owners;

WHEREAS such houses have proven over many decades to be durable, economical, pleasant to inhabit, and environmentally appropriate;

WHEREAS the damage done by Hurricane Katrina requires that tens of thousands of such self-built houses be expeditiously rebuilt or replaced;

WHEREAS governmental staff is overstretched to the point of inability to process plans and provide inspections expeditiously;

WHEREAS an accretion of restrictive codes, mandatory reliance on licensed architects and contractors, highest construction standards, and complex permitting protocols have increased very substantially to the cost of house-building

WHEREAS, even with the substantial government subsidy which is available, the housing remains out of reach of most New Orleanians

WHEREAS for the sake of economy and cultural continuity it should be possible to reuse surviving foundations and to salvage material that may not meet the new codes and standards.

WHEREAS self-help and bottom-up decision making is the stated intention of the United New Orleans Plan;

WHEREAS all attempts to deliver economical housing in the requisite numbers required have failed, the plight of the citizens of New Orleans justifies the exploration of unconventional methods including traditional ones;

THEREFORE, by action of the City Council,

A HOMEBUILT HOUSING ZONE (The HH Zone) is hereby created and added to the City of New Orleans Zoning Code

The Staff of the Planning Department is directed to draft an HH Zone that incorporates the following provisions:

-The HH Zone shall operate as a contract between the City of New Orleans (The Municipality) and the owner of the Lot (The Owner).

-The HH Zone shall be an overlay zone applicable within current R-2 Residential Zones.

- The HH designation shall be available by-right upon request by the documented Owner. Each Owner shall have a one-time right to an HH Zone designation.

-The HH designation shall be available only to single and double family houses intended exclusively for residential use, with internal area no more than 1600 square feet per unit and no more than two stories.

-The HH designation shall exempt the Owner from the requirements of current permitting procedures, applicable building codes, the employment of licensed professionals, and the protocol of inspections with the exception of the filing of a Request for Commencement of Construction (the required information regarding location etc is to be developed by The Staff) and Notification of Completion of Construction.

-As a condition of receiving the HH designation, The Owner shall agree by contract to hold the Municipality harmless for injury and death as a consequence of the construction and the habitation the of the houses as well as the consequences of fire, wind, water, and theft.

-As a condition of receiving the HH designation, The Owner shall acknowledge by contract that housing built under the standards of the HH designation may not qualify for insurance and mortgage and holds the municipality harmless for these consequences.

-The Owner shall agree by contract for the sake of neighborhood harmony to abide with the setback, height and other form-based aspects of either a. the R-2 residential Zone b. the building pre-existing on the lot, or c. the metrics on average of the two houses closest to either side of the lot and the three houses on the opposite side of the street.

-The Owner shall agree to comply with the standards of all applicable utilities.

-The Owner shall agree to complete the work of construction within two years of the filing date of the Request of Commencement.

-The Homebuilt Housing Act shall sunset within three years of its incorporation to The Code unless it is extended by action of the New Orleans City Council.

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