



Date	9/8/2016
Tracking Number	16-2022

MASTER PLAN APPLICATION

APPLICATION FOR AMENDMENT TO PLAN FOR THE 21ST CENTURY: NEW ORLEANS 2030 (THE MASTER PLAN)

Complete Application Required: Use this form for all requests to amend Plan for the 21st Century: New Orleans 2030 (the Master Plan). The City will not process an application that does not have all the required items. To accept your application, each of the items listed under Required Components must be submitted at the same time.

Early Consultation: Prior to submitting an application, the applicant is required to set up a pre-application conference meeting with a City Planner to discuss the proposal. City Planning staff will provide the applicant with assistance and information on the application feasibility, decision criteria, review time, and whether a Neighborhood Participation Program (NPP) meeting is required.

Application Acceptance: All applicants are required to bring in one copy of the application package for informal review by a staff planner, prior to the formal application to ensure that the application is complete. Applications will be accepted at the City Planning Commission between 8:00 AM and 5:00 PM Monday through Thursday and between 8:00 AM and 3:30 PM Friday. No appointment is necessary for the formal application submittal; however, an appointment with a City Planner is necessary for the early consultation. Mailed, faxed or e-mailed applications will not be accepted.

Purpose: The Master Plan is a long-term vision for the future of New Orleans. It contains policy recommendations across a spectrum of topics, but with a particular focus on the built environment. Amendments reflecting updated information, changing trends, best practices, or community goals are generally either text changes or revisions to the Future Land Use Map (FLUM). Text amendments affect the policies of the comprehensive plan on a City-wide level. Map amendments influence the potential uses and development of specific properties. A FLUM amendment may affect a site's zoning designation when zoning is revised comprehensively or when a zoning change application is submitted. Text and map amendments must be consistent with the overall policy intent of the Master Plan. Justification for the change(s) within the context of the Master Plan is the responsibility of the applicant.

When to Apply and Process: In 2016, the amendment application period will begin on April 25th and close on August 31st. Once the amendment application packet is submitted for review, the City Planning Commission will arrange a public meeting and publish a notice in a local newspaper of general circulation at least fifteen days in advance of the meeting. In addition to the public meetings, the City Planning Commission will hold a public hearing(s) to approve, approve with modifications, or disapprove the proposed amendments. A staff report and recommendations will be available to aid the discussion. The Planning Commission's recommendation will be forwarded to the City Council for final disposition.

REQUIRED COMPONENTS

Amendment to Text of Master Plan

- Completed application form
- Reasons for change may address the following criteria:
 - Public benefits from the proposed change
 - Health, safety & welfare
 - Evaluation of current public policy
 - Other factors
- FEE: \$1,500 (Only applies to Descriptions of Future Land Use Categories of Ch.14,Sec.C)

Accepted forms of payment include check, cashier's check, money order, Visa, MasterCard, & Discover.

Amendment to Future Land Use Map

- Completed application form (must be the property owner)
- Neighborhood Participation Program Report (see NPP Resource Guide)
- Reasons for change may address the following criteria:
 - Change in land use trends
 - Impacts on neighboring property
 - Evaluation of existing zoning classification & the current future land use classification
 - Public benefits from the proposed change
 - Health, safety & welfare
 - Other factors
- Photographs of subject site
- FEE based on table below

Lots 0-4,999 sq ft	\$1,000	Lots 25,000-74,999 sq ft	\$3,000
Lots 5,000-24,999 sq ft	\$2,000	Lots 75,000 sq ft or more	\$4,000

TO BE COMPLETED BY CPC STAFF

Intake Planner ERH Date Received 9/8/2016
Amount Received Planning District N/A



Date _____
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REQUEST FOR CHANGE IN TEXT OF MASTER PLAN

REQUESTS OPEN TO ALL RESIDENTS

For text amendment changes, including changes to graphics, tables, or maps, the applicant must provide the chapter as well as the page number of the amendment that the applicant wishes to change. Proposed additions to the text should be underlined; proposed deletions from the text should be indicated by strikethrough. If the change is for a graphic, table, or map other than the Future Land Use Map(s), indicate the volume, chapter, and page number along with the title of the graphic, table, or map.

Volume see below Chapter(s) see below Page No(s) see below Title(s) see below

Attach a copy of current graphic, table, or map, if applicable.

Specific proposed change to text (if necessary, applicant may submit additional sheets):

Please see attached document. MaCCNO is proposing amendments to the following sections:
 Vol. 2, Chapter 7, Green Infrastructure, Goal 9A, page 7.26
 Vol. 2, Chapter 5, Neighborhoods and Housing, Section 3A #4, p5.11, 5.33
 Vol. 2, Ch.5, Neighborhoods and Housing, Section 1B.1, p. 5.19
 Vol. 2, Ch.5, Neighborhoods and Housing, Section 1C.2, p. 5.20
 Vol. 2, Ch.5, Neighborhoods and Housing, Section 1C.4, p. 5.19
 Vol. 2, Chapter 6, Historic Preservation, p.6.8, 6.19
 And one additional amendment to replace the term "nuisance business" with 'illegally operating business' throughout the Master Plan

REQUEST FOR CHANGE TO FUTURE LAND USE MAP

MAY BE REQUESTED BY OWNER OF PROPERTY(S)

For a change to a Future Land Use Map, there must be a clear description and map of the boundaries. The request should indicate the present Future Land Use Map designation and the designation that is being requested for the area. If more than one category is being requested, precise boundaries of each requested land use designation must be described and indicated on maps. A statement describing the reasons for the requested change must be included in the application.

Boundaries of Area (A separate application is needed for each non-contiguous property) _____

Municipal Address(es) _____

Square Number(s) _____ Lot Number(s) _____

Tax Bill Number(s) _____

Square footage of area _____

Future Land Use Map Designation (current status) _____

Proposed Future Land Use Map Designation _____



City Planning Commission



Date _____
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APPLICANT INFORMATION FOR AMENDMENTS TO THE MASTER PLAN

APPLICANTS FOR AMENDMENTS TO FUTURE LAND USE MAPS (FLUM) MUST BE THE OWNER OF THE SUBJECT PROPERTY

Applicant Type: organization public official/agency individual citizen property owner other

Applicant Name (and org. name if applicable) Music & Culture Coalition of New Orleans/Hannah Kreiger Benson

Address 828 Royal St. PMB #237

City New Orleans State LA Zip 70116

Phone 504-327-7713 Email address coordinator@maccno.com

Applicant Type: organization public official/agency individual citizen property owner other

Applicant Name (and org. name if applicable) _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email address _____

Applicant Type: organization public official/agency individual citizen property owner other

Applicant Name (and org. name if applicable) _____

Address _____

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Phone _____ Email address _____

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ACKNOWLEDGMENTS

If ownership is joint, each owner must be listed. If multiple squares, then applicants must own not less than 50% of the land for which the amendment is requested. If ownership is a partnership, the Partnership Agreement must be included. If ownership is a corporation, Articles of Incorporation and a Board Resolution authorizing an individual or agent to sign on its behalf. If ownership is an LLC, Articles of Organization and legal documentation authorizing an individual or agent to sign on its behalf must be included. If necessary, applicant may be required to submit proof of ownership documents, such as copies of a recorded act of sale, act of exchange, act of donation, or other documents.

I (we) hereby affirm that ownership and property information presented on this application is current and accurate and I (we) acknowledge that inaccurate or incomplete ownership, improper authorization, or property identification will make this application and resulting actions null and void. I (we) the undersigned owner or authorized agent of the area of land described above, hereby submit for your approval the above-stated request.

Applicant Signature *[Handwritten Signature]* Date Sept. 8, 2016

Applicant Signature _____ Date _____

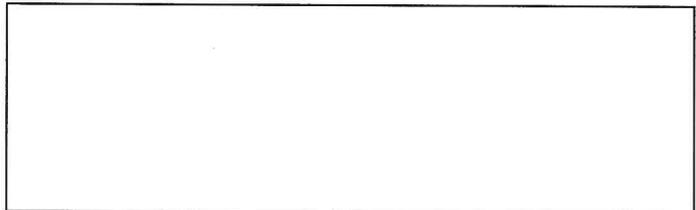
(Notarization is only required for application subject to a fee.)

STATE OF LOUISIANA, PARISH OF ORLEANS

Before me, the undersigned authority, personally appeared the person(s) whose signatures are affixed above, all of the full age of majority, who declared under oath to me, Notary, that they are the owners or authorized agents of the property described above, and that their signatures were executed freely and voluntarily and that they are duly qualified to sign.

Sworn and subscribed before me this _____ day of _____ 20 ____ .

My Commission Expires _____



Full Text of MaCCNO's Master Plan Amendments

Key: (additional/changed text, ~~deleted text~~)

Add Cultural Programming to Recreation Centers

Location: Volume 2, Chapter 7, Green Infrastructure, Goal 9A, page 7.26

Add the following section:

9A.6 "Promote and provide a space for community led cultural programming in all city-run recreation and community centers"

Who: NORD, cultural organizations, culture bearers

When: ongoing

Resources: Fees, where appropriate

Neighborhood based cultural traditions are an integral part of the City's identity and a driving factor in youth development. Community led cultural programming held by either cultural organizations or respected culture bearers will be given a space in all city run recreation and community centers, with priority given to organizations and individuals from the neighborhood where the center is located.

Promote Long Standing Cultural Activity Within Neighborhoods

Location: Volume 2, Chapter 5, Neighborhoods and Housing, Section 3A #4, p5.11, 5.33

Change section to read:

"Incentivize cultural uses, events, and development opportunities to strengthen neighborhood commercial districts, where feasible, while also supporting and encouraging long standing cultural uses and activities throughout all neighborhood districts, both commercial and residential."

Who: CPC, Neighborhood Development, Office of Cultural Economy, cultural organizations

When: Ongoing

Resources: Staff Time

Artists are known for their propensity to create neighborhood clusters of activity. In New Orleans, music, art, and traditional/indigenous cultural activity are firmly rooted in neighborhoods. To allow for these cultural traditions and expressions to survive and grow, cultural spaces and businesses must be preserved in both commercial and residential areas. In addition, cultural businesses and events bring vitality to neighborhood commercial areas and can effectively anchor these districts.

Galleries, music venues, artists's studios and workshops, and similar businesses can help attract customers from beyond the immediate neighborhood, helping to support other small businesses, as do events such as monthly gallery walks, festivals, and so on. Promotion of New Orleans' nineteen Cultural Products Districts can stimulate development of cultural businesses and activities in neighborhood commercial corridors. (See Volume 3, Chapter 5 for more information on Cultural Products Districts.) Local governments who designate the Cultural Products Districts are required to report on the impact to their neighborhood annually.

Ensure Quality of Life Enforcement is Culturally Sensitive

Location: Vol. 2, Ch.5, Neighborhoods and Housing, Section 1B.1, p. 5.19

Change section to read:

1.B. Establish systems to enforce quality of life regulations and eliminate illegally operating businesses.

1. Create a warning and ticketing system with potential fines for quality of life offenses such as littering and illegal dumping, junk cars, lack of mowing, noise, and so on.

Who: Mayor's Office; City Council; Police Department

When: First five years

Resources: Staff time; fines

Many communities have developed ticketing systems with fines for quality of life offenses. ~~In order to improve neighborhood conditions, there is considerable evidence that they also help cut crime.~~ Using a ticketing system, but also offering businesses an opportunity to come into compliance, can improve neighborhood conditions while also supporting small, neighborhood businesses. The funds from the fines can help pay for increased police time. In the long term, after recovery, New Orleans may want to consider the model from Charleston, SC, which has established a "Livability Court" to handle quality of life offenses, so they do not get delayed in the general court system with other offenses.

Location: Vol. 2, Ch.5, Neighborhoods and Housing, Section 1C.2, p. 5.20

Change section to read:

2. Ensure industrial and commercial performance standards (limits on noise, dust, vibration and other impacts) in the zoning and city codes are culturally and neighborhood appropriate.

Who: CPC, City Council

When: First five years

Resources: City Attorney, cultural groups, neighborhood organizations

Performance standards (limits on impacts such as noise, dust, vibration, and so on) can be changed in the zoning code or by using other city ordinances. A culturally appropriate sound ordinance will allow for cultural traditions to continue while still providing protection for neighbors. The city can help find an appropriate site within the city limits and assist in business relocation. State and federal regulators can be brought in to deal with pollution and similar issues under their jurisdiction. The master plan land use map and the associated zoning code can make the use nonconforming so that the use cannot continue after the current enterprise leaves. Occupancy permits and business licenses could be subject to sanctions in the case of proven criminal activity.

Location: Vol. 2, Ch.5, Neighborhoods and Housing, Section 1C.4, p. 5.19

Change section to read:

4. Disseminate information to neighborhood associations and business owners about potential legal approaches and inform all parties on what is currently allowed under the law.

Who: CPC

When: First five years

Resources: Staff time

It is also the case that neighborhood residents can disagree on what constitutes a “nuisance” and on expectations for activities in areas where businesses are located in close proximity to residences. This is particularly the case in disputes revolving around noise and activities related to music clubs, restaurants, and similar businesses. The rights of business owners also need to be respected in these disputes, and both neighbors and the businesses should be given information detailing what is legally allowed.

~~When the CPC is able to assign planners to each Planning District, that planner can serve as the point person for these complaints. The planner should become familiar with the law regarding public nuisances of various types and the steps that neighborhood residents may take if they wish to pursue action against a business they regard as a nuisance. Proper City officials, either from the appropriate City Council District, the Neighborhood Engagement Office, or the Office of Cultural Economy may first attempt to bring the business owner together with residents and/or the police department to see if a mutually acceptable solution can be reached. New actions are possible under the Louisiana Public Nuisance Law, the New Orleans Noise Control Program and Littering Ordinance, and the Louisiana Alcoholic Beverage Control Law. The burden of proof lies with those who wish legal action to be taken against a business. The Tulane Public Law Center has created a~~

step by step guide to the requirements and actions under the four laws named above.

Location: Entire document, with an emphasis on Chapter 5.

Text change: Replace the term 'nuisance business' with 'illegally operating business' throughout the document.

Protect Historic Cultural Sites and Music Venues

Location: Vol 2, Chapter 6, Historic Preservation, p.6-8, 6-19.

Add the following goal:

6. Important cultural sites, activities, and traditions are protected.

Many of New Orleans most important cultural sites still extant are in danger of being lost. These may take the form of crumbling buildings, such as the Karanofsky Tailor Shop, the loss of neighborhood music venues, or the displacement of the musicians and culture bearers themselves. If New Orleans does not take action quickly, much of this damage and loss may become irreversible.

Because of the prominent role culture plays in the identity of the City and its citizens, New Orleans has a unique opportunity to create a groundbreaking cultural preservation program, focused on not only protecting historic sites, but also providing space for a living culture to grow and develop. The following initiatives will begin this process.

6A. A comprehensive survey of existing musically, historically, and spiritually important cultural sites should be completed, and sites should become eligible for protection.

Who: Cultural community, Universities, CPC

When: within 18 months

Resources: staff and volunteer time, potential grants, non-profit partners

Protection of existing cultural sites has been haphazard at best, and many continue to be lost, most recently Club Desire in the Upper 9th Ward. A community led survey must be undertaken to examine what sites remain, as well as their current status and threat level. Once sites are identified, the appropriate steps for preservation can be undertaken.

6.B Existing non-conforming barrooms and music venues that can show a history of hosting live entertainment should be granted perpetual non-conforming status for live entertainment that is tied to location, not business or owner.

Who: CPC

When: within 18 months

Resources: staff time

The vast majority of New Orleans' neighborhood music venues and performance spaces are non-conforming uses and in constant danger of permanently losing their ability to have live entertainment. If one of these bars or venues was to close for more than 6 months, they would no longer be able to host live music, no matter how long they had done so previously. Venues and barrooms that can prove a history of hosting live entertainment should be able to keep their non-conforming use in perpetuity. In order to preserve the location as an important cultural space, the non-conforming use should be tied to the parcel, not the individual business or building.

6C. A grant program for sound proofing businesses, similar to a façade grant program, should be developed and implemented, with an emphasis on music venues and barrooms.

Who: Office of Cultural Economy, NOLA Business Alliance, HDLC

When: within 18 months

Resources: Business associations, Economic development office

The most common complaint/ point of opposition to live music venues is potential or actual excessive sound. This problem is especially acute in neighborhoods where the buildings are old and in close proximity. To mitigate this, the City should develop a grant program that would allow small, locally owned cultural businesses access to sound proofing. This could be carried out in a process similar to façade improvement grants, and within a few years, because of the finite number of cultural businesses, virtually all located in historic neighborhoods could be soundproofed.

6D. The permitting process and fee structure for cultural businesses should be streamlined, and a user friendly guide to the process created.

Who: Office of Cultural Economy, NOLA Business Alliance, Safety and Permits

When: within 18 months

Resources: staff time

One of the biggest problem facing small, neighborhood based cultural businesses is an obscure permitting and fee system. Business owners are often given conflicting or incorrect information, and entrenched bureaucracy creates an unnecessary



Web: MACCNO.com
Email: mailings@maccno.com

challenges and financial burdens. The permitting and inspection process should be streamlined, the fee structures clarified, and a more user friendly guide created. In addition, live entertainment venues that charge a cover should not have to pay a higher fee than those that offer 'free' entertainment, as that creates a disincentive to pay performers a fair wage, and devalues their work and product.