

**MOTION  
(AS AMENDED)  
NO. M-17-411**

**CITY HALL: July 27, 2017**

**BY: COUNCILMEMBERS WILLIAMS, HEAD, GUIDRY, CANTRELL, RAMSEY,  
BROSSETT AND GRAY**

**BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF NEW ORLEANS,** That the City Planning Commission is hereby directed, pursuant to Section 5-404 (4) of the Home Rule Charter of the City of New Orleans, to conduct a public hearing, receive public comment, and provide recommendations to the City Council, regarding modifications to Ordinance No. 24,079 M.C.S., providing for the adoption of the Master Plan (also known as “Plan for the 21st Century: New Orleans 2030”), relative to the following **text** modifications:

**Chapter 2**

- a. On page 41 where it states: “The Lindy Boggs Medical Center remains shuttered and in the midst of a lawsuit after plans to redevelop it as a cardiovascular center affiliated with the University Medical Center fell through.”, modify the statement to reflect the fact that “the law suit was recently settled, and the ownership is remediating environmental issues with the building and exploring specific redevelopment plans for the property, including an assisted living facility and/or related senior health care uses.”

**Chapter 3**

- a. Beginning on page 12, Section D titled “Plans Adopted After 2010”, modify the list of plans adopted after 2010 to reflect the Climate Action Strategy.

**Chapter 5**

- a. Consider modifying the recommendation and retain the language proposed for deletion (in addition to the new language) found on page 1, “Goal” 2, and in “Policies for Decision Makers” 2.A., and correlating references on page 15, relative to the redevelopment of blighted and vacant properties.
- b. Consider modifying the recommendation on page 12, regarding Goal 1, “Recommended Strategy” 1B, item 2 in the “How” column, to replace “rental registry” with the term

“improved Code Enforcement system.”

- c. Consider modifying the recommendation and retain the language proposed for deletion (in addition to the new language) beginning on page 15, Goal 2, “Recommended Strategy” 2A, relative to the redevelopment of blighted and vacant properties.
- d. Consider modifying the recommendation to include the following additional language on page 15, to Goal 2, “Recommended Strategy” 2.A. ,“Establish neighborhood plans that direct investment strategies in each neighborhood.”
- e. Consider modifying the recommendation on page 16, regarding Goal 2, “Recommended Strategy” 2A, item 6 in the “How” column, to replace “rental registry” with the term “improved Code Enforcement system.”
- f. Consider modifying the recommendation and retain the language proposed for deletion (in addition to the new language) found on page 19, “Recommended Action” 2B, number 1 in the “How” column, relative to Neighborhood Land Trusts.
- g. Consider modifying the recommendation on page 21, Goal 2, “Recommended Strategy” column, subpart 2D, to define “vacant properties” to ensure legal consistency when used in the following sentence: “Encourage innovative, experimental and low-cost uses of **vacant properties** to enhance the likelihood that a vacant space will eventually find a permanent use.”
- h. Consider modifying the recommendation and retain the language proposed for deletion (in addition to the new language) on page 25, regarding Goal 4, “Recommended Strategy” 4B, relative to providing resources to restore housing with appropriate flood protection measures.
- i. Consider modifying the recommendation on page 26, Goal 4, “Recommended Strategy” 4B, item 4 in the “How” column, to define “adjudicated property” to ensure legal consistency when used in the following sentence: “Explore processes to direct publicly owned and **adjudicated property** toward affordable and mixed-income housing development in high-value, high-opportunity neighborhoods and in areas near high-frequency transit corridors.”
- j. Consider modifying the recommendation on page 26, Goal 4, “Recommended Strategy” 4B, item 8 in the “How” column, to consider the following alternative language: “Implement inclusionary zoning in areas of opportunity, especially along transit, in concert with existing and expanded incentive zoning and development cost offset mechanisms in order to leverage maximum investment in the development of affordable housing”.
- k. Consider modifying the recommendation on page 29, Goal 4, “Recommended Strategy” 4D, item 7 in the “How” column, to provide the following additional language “, and determine the appropriate Future Land Use Categories whereby the proposed ‘second main use dwelling

units' are appropriate.”

- l. Consider modifying the recommendation on page 40, Goal 1.B.2, to delete the recommended creation of a “rental registry” and replace it with referencing the utilization of an improved Code Enforcement system to manage inspections and fines for rental properties that are not up to code.
- m. Consider modifying the recommendation on page 50, Goal 2.A.6, to delete the recommended creation of a “rental registry” and replace it with referencing the utilization of an improved Code Enforcement system to manage inspections and fines for rental properties that are not up to code.
- n. Consider modifying the recommendation on page 58, Goal 3, part 3.A., to revise the reference of “Rapid Reconnaissance Plans” with “land use surveys”.
- o. Consider modifying the recommendation on page 69, “Recommended Actions” number 8, to provide the following alternative language “Implement inclusionary zoning in areas of opportunity, especially along transit, in concert with existing and expanded incentive zoning and development cost offset mechanisms in order to leverage maximum investment in the development of affordable housing”.
- p. Consider modifying the recommendation on page 75, “Recommended Actions” number 7, to provide the following additional language “, and determine the appropriate Future Land Use Categories whereby the proposed ‘second main use dwelling units’ are appropriate.”

## **Chapter 6**

- a. Consider modifying the recommendation on page 7, to modify the “Equity” section to address displacement of long-time citizens throughout the historic neighborhoods and to modify the “Resilience” section to read as follows: “New Orleans’ resilience strategy should include the retrofitting, restoration, and protection of historic sites and districts in recognition of their importance as first and foremost, unique residential sites and neighborhoods that attest to the authenticity of the city. They also bring value as economic drivers behind the tourism economy and as cultural touchstones that enhance social resilience.”
- b. Consider modifying the recommendation on page 8, Goal 1, “Recommended Strategy” 1A, item 4 in the “How” column, to clarify that the City cannot exercise regulatory authority over infrastructure not legally within its jurisdiction.
- c. Consider modifying the recommendation on page 11, Goal 2, “Recommended Strategy” 2C, item 6 in the “How” column, to delete the proposed wording and clarify the existing language as it suggests that “preservation requirements” should be waived when in conflict with affordable housing development. If not deleted, the provision should be modified to be

rephrased to specify that affordable housing and preservation goals can be accomplished simultaneously through leveraging available financial incentives for both.

- d. Consider modifying the recommendation on page 11, Goal 2, “Recommended Strategy” 2C, item 6 in the “How” column, to clarify that a waiver should not be granted to developers/agencies, but to existing low-income homeowners struggling to comply with historic regulations. Also modify to contemplate if instead of waivers, it may be more appropriate to support a funding mechanism that allows low-income people with financial support to comply with historic regulations.
- e. Consider modifying the recommendation on page 12, Goal 3, “Recommended Strategy” 3B, and the correlating provisions on page 26, to delete the existing language and modify to provide ““Develop clear and focused preservation strategies and a pattern book that illustrates solutions that maintain historic and pedestrian friendly character while meeting the requirements for the ADA as well as elevated Base Flood Elevation Maps.”
- f. Consider modifying the recommendation on page 15, “Recommended Actions” number 3, to clarify that the City cannot exercise regulatory authority over infrastructure not legally within its jurisdiction.
- g. Consider modifying the recommendation on pages 24-25, “Recommended Actions” number 6, to delete the proposed wording and clarify the existing language as it suggests that “preservation requirements” should be waived when in conflict with affordable housing development. If not deleted, the provision should be modified to be rephrased to specify that affordable housing and preservation goals can be accomplished simultaneously through leveraging available financial incentives for both.

## Chapter 7

- a. Consider modifying the recommendation on page 3, Goal 12, “Policies for Decision Makers” 12.B., to delete the existing language and modify it to provide: “Enhance community input for design, maintenance, improvements, and particularly use changes, for all lands considered any type of parks or open space. Ensure a thorough public engagement process, and consider adding restrictions for the transfer of land from open to recreational space.”
- b. Consider modifying the recommendation on page 3, Goal 12, “Policies for Decision Makers” 12.C., to modify the existing language into two separate goals to read: 12.C. “Prepare and update city wide parks, green/open space and recreation master plan”, and 12.D. “Regional parks shall prepare and update master plans regularly, and shall clearly identify the existing uses and any proposed uses, and the amount of land dedicated to recreational versus open parkland space.” Correlating page 41 should be updated to reference 12.D, and contemplate regional park qualifications and master plan submission information.

- c. Consider modifying the recommendation on page 4, the “fact sheet” regarding “Parks, Open Space, and Recreation” to update the status of pre-Katrina parks and facilities with the number of restored and undeveloped parks and facilities, including an explanation on the differences between neighborhood parks and the multipurpose neighborhood parks.
- d. Consider modifying the recommendation on page 7, Goal 2, “Recommended Strategy” 2A, and correlating references on page 22, to retain the promotion of tree planting on private property.

### **Chapter 8**

- a. Consider modifying the recommendations on page 5 and retain “Policies for Decision Makers” “8.A.” and “8.C.”, as both are provided in the “Recommended Strategies” on page 21, and in the “recommended actions” on page 32.

### **Chapter 13 (former Chapter 14)**

- a. Consider modifying the recommendations in the “Administration of the Land Use Plan” section, relative to the “1. Administrators” subpart, located on page 3, to reexamine the appropriate authority of the Executive Director of the City Planning Commission, the City Planning Commission, and the City Council regarding interpretation appeals of the Master Plan.
- b. Consider modifying the table titled “Summary of Land Use Strategies and Actions”, beginning on page 5, to create a new Goal of “Developing an Environmental Plan”, the Strategy of which is to “Create an inventory of waste disposal, waste incineration, or other known sites where environmental toxins exceed federally mandated safety standards.”, with Actions that include “Contemplate limiting certain types of developments/uses on contaminated sites to ensure that future uses will not negatively impact surrounding residents and citizens.”
- c. Consider modifying the recommendation on page 6, Goal 1, “Strategy” 1.D., “Actions” no. 5, to delete said action in its entirety.
- d. Consider modifying the recommendation on page 6, Goal 1, “Strategy” 1.B., “Actions” no. 14, to retain the proposed deletion of the sentence “Diversity New Orleans’ housing stock in new residential developments.” This sentence should be retained, and the proposed new language should remain as an additional “Actions” item.
- e. Consider modifying the recommendation on page 8, Goal 2, “Strategy” 2.D., “Actions” no. 11, to clarify the proposed language to ensure the desired intent is clear and understandable.
- f. Consider modifying the recommendation on page 8, Goal 3, “Strategy” 3.A., “Actions” no.

11, to delete the proposed revision in its entirety.

g. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Single Family Pre-War**” on page 12, to consider modifying the “Range of Uses” therein as follows:

1. Modify the sentence “Neighborhood serving businesses and traditional corner stores may be allowed where current or former commercial use is verified” to read: "Neighborhood-serving businesses and traditional corner stores may be allowed in existing structures where current or former commercial use is verified."
2. Modify the sentence “Conversion to multifamily and neighborhood serving commercial uses may be allowed for certain existing historical non-residential buildings” to read: "Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings."

h. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Single Family Post-War**” on pages 12-13, to consider modifying the “Range of Uses” therein as follows:

1. Modify the sentence “Neighborhood serving businesses and traditional corner stores may be allowed where current or former commercial use is verified” to read: "Neighborhood-serving businesses and traditional corner stores may be allowed in existing structures where current or former commercial use is verified."
2. Modify the sentence “Conversion to multifamily and neighborhood serving commercial uses may be allowed for certain existing historical institutional or other non-residential buildings” to read: "Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings."

i. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Low Density Pre-War**” on page 13, to consider modifying the “Range of Uses” therein as follows:

1. Modify the second sentence regarding the preservation of existing multifamily buildings to make the following considerations of paramount importance: the historical and architectural significance of the existing building, its structural integrity, whether the structure is or can be made to be compliant with current building codes, and the scale and character of the building within the context of the surrounding neighborhood.
2. Modify the sentence that says “Businesses, traditional corner stores, and mixed use may be allowed on sites where current or former commercial use is

verified.” to read: “Businesses, traditional corner stores, and mixed use may be allowed in existing structures where current or former commercial use is verified.”

3. Modify the sentence “Conversion to multifamily and commercial uses may be allowed for certain existing historical institutional, commercial or other non-residential buildings” to read: “Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings.”
- j. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Low Density Post-War**” on pages 13-14, to consider modifying the “Range of Uses” therein as follows:
1. Delete the ability for commercial developments to “expanded to adjacent lots” – proposed sentence should read “Commercial development may be allowed where it currently exists or formerly existed.”
  2. Modify the sentence “Conversion to multifamily or commercial uses may be allowed for certain existing historical institutional, commercial or other non-residential buildings” to read: “Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings.”
- k. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Medium Density Pre-War**” on page 14, to consider modifying the “Range of Uses” therein as follows:
1. Modify the sentence “Businesses, traditional corner stores, and mixed use development may be allowed on sites where current or former commercial use is verified” to read: “Businesses, traditional corner stores, and mixed use development may be allowed in existing structures where current or former commercial use is verified.”
  2. Modify the sentence “Conversion to multifamily and commercial uses may be allowed for certain existing historical institutional or other non-residential buildings.” to read: “Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings.”
1. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Multifamily Pre-War**” on pages 14-15, to consider modifying the “Range of Uses” therein as follows:

1. Modify the sentence “Conversion to commercial uses may be allowed for certain existing historical institutional or other non-residential buildings.” to read: “Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings.”
- m. Consider modifying the recommendations regarding the Future Land Use Category “**Residential Multifamily Post-War**” on page 15, to consider modifying the “Range of Uses” therein as follows:
1. Modify the sentence “Conversion to commercial uses may be allowed for certain existing historical institutional or other non-residential buildings.” to read: “Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings.”
- n. Consider modifying the recommendations regarding the Future Land Use Category “**Historic Core**” on page 15, to modify the “Range of Uses” therein as follows:
1. Modify the second sentence to read: "Neighborhood-serving businesses, traditional corner stores, and mixed-use developments may be allowed in existing structures where current or former commercial use is verified." (removing the reference to “businesses including those promoting New Orleans’ culture of food, music, and entertainment”
    - i. If this phrase is ultimately recommended for retention, include in the “Range of Uses” subpart language to provide clarity and specificity as to the meaning of “those [businesses] promoting New Orleans’ culture of food, music, and entertainment.”
    - ii. If this phrase is ultimately recommended for retention add the following additional language after the word “verified” - “and when deemed appropriate and consistent with the historic residential character of the neighborhood through a public review process.”
    - iii. If this phrase is ultimately recommended for retention, include in the “Range of Uses” subpart language to limit the circumstances and provide guidance as to the appropriate auspice, including: requiring a conditional use, limiting the number of such businesses within a city square (spacing restrictions); limit the size of such businesses; or providing a time period within which the former commercial use must have existed.
  2. Modify the third sentence to read: "Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings."; and

3. Modify the fourth sentence to read: "Agricultural, storm water management, and supporting public recreational and community facilities may be allowed (e.g., schools and places of worship)."
- o. Consider modifying the recommendations regarding the Future Land Use Category "**Neighborhood Commercial**" on page 16, to modify the "Range of Uses" therein as follows:
    1. Modify the sentence "Conversion to multifamily may be allowed for certain existing historical institutional, commercial or other non-residential buildings." to read: "Conversion to multifamily, commercial, or mixed use may be allowed for certain existing historical institutional or other non-residential buildings."
  - p. Consider modifying the recommendations regarding the Future Land Use Category "**General Commercial**" on page 16, to modify the "Goal" and "Range of Uses" therein as follows:
    1. Modify the amendment recommended by the City Planning Commission within the portion labelled "Goal" to move the second and third sentences into the portion labelled "Range of Uses" to be consistent with the placement of those sentences within the other Future Land Use Categories.
  - q. Consider modifying the recommendation on page 37, within the "Promote sustainability" heading, the first bullet point beginning with "Work with nature to enhance resilience", to retain the deletion of "levees into the landscape", so the sentence should read: ", managing stormwater to slow subsidence, integrating levees into the landscape, including both gray and green infrastructure strategies, and other ways of working with nature to protect the city from rising seas and more frequent storms."
  - r. Consider modifying denial of request number Text 14-12 of the City Planning Commission's Staff Report to modify denial as requested by applicant.
  - s. Consider modifying denial of request number Text 14-13 of the City Planning Commission's Staff Report to modify denial as requested by applicant.

**BE IT FURTHER MOVED**, That a copy of this motion be sent to the City Planning Commission to effectuate this request.

**FOREGOING MOTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION OF THEREOF AND RESULTED AS FOLLOWS:**

**YEAS:** Brossett, Cantrell, Gray, Guidry, Head, Ramsey, Williams - 7

**NAYS:** 0

**ABSENT:** 0

**AND THE MOTION, AS AMENDED, WAS ADOPTED.**

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THE FOREGOING IS CERTIFIED  
TO BE A TRUE AND CORRECT COPY  
*Lara W. Johnson*  
CLERK OF COUNCIL