

**Semi-Monthly Planning Meeting  
Tuesday, October 10, 2017**

**PRELIMINARY STAFF REPORT  
2016-17 MASTER PLAN AMENDMENTS RECONSIDERATION**

**Date:** September 29, 2017  
**To:** City Planning Commission

**Prepared by:** City Planning Staff

CHAPTER 5: Neighborhoods and Housing

**Reconsideration: Chapter 5, Item a. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.

**What is the existing language recommended by the City Planning Commission?**

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**POLICIES FOR DECISION MAKERS**

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**2.A.** In neighborhoods and areas with limited market activity, focus on catalytic investments and community based programs that benefit existing residents and increase access to opportunity.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests that the language as it currently exists in the Master Plan be retained while also adding the proposed language. The staff agrees that both

the existing and proposed language should be included as the redevelopment of blighted and vacant sites remains a priority while focused investments that benefit existing residents and increases opportunities is also a priority. However, the staff recommends replacing “Accelerate” with “Continue” as the City has eliminated thousands of blighted and established programs, which are ongoing, to address the redevelopment of blighted and vacant sites.

As is the format of the Master Plan, some text is repeated in several locations throughout. In order to maintain consistency with these various sections, the staff is recommending that this proposal be made consistent with the other sections that contain the same language as the referenced “Policies For Decision Makers” section. There were three requests in the Council Motion pertaining to this request in Chapter 5. They are listed as items “a.”, “c.”, and “d.” Item “a.” is the subject of this request. Item “c.” proposes the same change as item “a.” except that it refers to the “Recommended Strategy” 2.A. under Goal 2. Item “d” is a request to add additional language, “Establish neighborhood plans that direct investment strategies in each neighborhood” to the “Recommended Strategy” 2.A. The staff approves the proposal and has provided the suggested language to be consistent throughout the applicable sections.

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

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**POLICIES FOR DECISION MAKERS**

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

2.A. **Continue** ~~Accelerate~~ **redevelopment of blighted and vacant sites through a comprehensive blight elimination program under unified management. Establish neighborhood plans that direct investment strategies in each neighborhood.** In neighborhoods and areas with limited market activity, focus on catalytic investments and community based programs that benefit existing residents and increase access to opportunity.

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**Reasons for Recommendation:**

1. Retaining the existing language while adding the proposed language addresses concerns about continuing to redevelop blighted and vacant sites while also focusing investment on

in neighborhoods with limited market activity, existing residents, and increasing access to opportunities.

2. The changes made by staff support consistency throughout the applicable sections.

**Reconsideration: Chapter 5, Item b. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 1. Enhance character livability for neighborhoods with investments to improve quality of live.**

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**RECOMMENDED STRATEGY**

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**1.B.** Establish systems to conduct code enforcement activities while providing low-income residents with resources that assist them to comply. Enforce quality of life regulations and eliminate nuisance businesses.

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**HOW**

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2. Create a rental registry that includes an established inspection regime and fine system for rental properties that are not up to code. Include mechanisms to help enable small and lower-income landlords to comply.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

The idea of establishing a “rental registry” has been in discussion for several years, but has not resulted in legislation, yet. There are concerns that if the term “rental registry” is dismissed, many of the efforts in working to craft this policy will not result in legislative action. While the staff recognizes this issue may be controversial,

the recommendation is to retain the existing language and the proposed language, since discussions are ongoing.

The Council Motion requests that the term “rental registry” be replaced with “improved Code Enforcement system.” The staff recommends retaining the “rental registry” term, but also including the proposed “improved Code Enforcement system” language, which will provide the ability for either proposal to be considered. Thus, the staff recommends the following:

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

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**GOAL 1. Enhance character livability for neighborhoods with investments to improve quality of live.**

\*\*\*

**RECOMMENDED STRATEGY**

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**1.B.** Establish systems to conduct code enforcement activities while providing low-income residents with resources that assist them to comply. Enforce quality of life regulations and eliminate nuisance businesses.

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**HOW**

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2. Create a rental registry, **or other improved Code Enforcement system**, that includes an established inspection regime and fine system for rental properties that are not up to code. Include mechanisms to help enable small and lower-income landlords to comply.

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**Reason for Recommendation:**

1. Retaining the existing language while including the proposed language allows for both a rental registry and an improved Code Enforcement system to be considered should legislation be introduced.

**Reconsideration: Chapter 5, Item c. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY**

2.A. In neighborhoods and areas with limited market activity, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests that the language as it currently exists in the Master Plan be retained while also adding the proposed language. The staff agrees that both the existing and proposed language should be included as the redevelopment of blighted and vacant sites remains a priority while focused investments that benefit existing residents and increases opportunities is also a priority. However, the staff recommends replacing “Accelerate” with “Continue” as the City has eliminated thousands of blighted and established programs, which are ongoing, to address the redevelopment of blighted and vacant sites.

As is the case throughout the Master Plan, some text is repeated in several locations throughout. In order to maintain consistency with these various sections, the staff is recommending that this proposal be made consistent with the other sections that contain the same language as the referenced “Recommended Strategy” section. There were three requests in the Council Motion pertaining to this request in Chapter 5.

They are listed as items “a.”, “c.”, and “d.” Item “a.” is the subject of this request. Item “c.” proposes the same change as item “a.” except that it refers to the “Recommended Strategy” 2.A. under Goal 2. Item “d” is a request to add additional language, “Establish neighborhood plans that direct investment strategies in each neighborhood” to the “Recommended Strategy” 2.A. The staff approves the proposal and has provided the suggested language to be consistent throughout the applicable sections.

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~-text:

\*\*\*

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY**

2.A. **Continue redevelopment of blighted and vacant sites through a comprehensive blight elimination program under unified management. Establish neighborhood plans that direct investment strategies in each neighborhood.** In neighborhoods and areas with limited market activity, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity.

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**Reasons for Recommendation:**

1. Retaining the existing language while adding the proposed language addresses concerns about continuing to redevelop blighted and vacant sites while also focusing investment on in neighborhoods with limited market activity, existing residents, and increasing access to opportunities.
2. The changes made by staff support consistency throughout the applicable sections.

**Reconsideration: Chapter 5, Item d. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY**

2.A. In neighborhoods and areas with limited market activity, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests that additional language be included. The additional language proposes that neighborhood plans be established that direct strategies for investment. The staff supports the proposal. In addition and as is the case throughout the Master Plan, some text is repeated in several locations throughout. In order to maintain consistency with these various sections, the staff is recommending that this proposal be made consistent with the other sections that contain the same language as the referenced “Recommended Strategy” section. There were three requests in the Council Motion pertaining to this request in Chapter 5. They are listed as items “a.”, “c.”, and “d.” Item “a.” is the subject of this request. Item “c.” proposes the same change as item “a.” except that it refers to the “Recommended Strategy” 2.A. under Goal 2. Item “d” is a request to add additional language, “Establish neighborhood plans that direct investment strategies in each neighborhood” to the “Recommended Strategy” 2.A. The staff approves the proposal and has provided the suggested language to be consistent throughout the applicable sections.



**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~striketrough~~ text:

\*\*\*

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY**

2.A. **Continue redevelopment of blighted and vacant sites through a comprehensive blight elimination program under unified management. Establish neighborhood plans that direct investment strategies in each neighborhood.** In neighborhoods and areas with limited market activity, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity.

\*\*\*

**Reasons for Recommendation:**

1. Retaining the existing language while adding the proposed language addresses concerns about continuing to redevelop blighted and vacant sites while also focusing investment on in neighborhoods with limited market activity, existing residents, and increasing access to opportunities.
2. The changes made by staff support consistency throughout the applicable sections.

**Reconsideration: Chapter 5, Item e. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY 2.A.**

**HOW**

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6. Establish annual inspections for rental properties and for houses at time of sale.  
Develop a rental registry to ensure that occupied rental properties are up to code.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

The idea of establishing a “rental registry” has been in discussion for several years, but has not resulted in legislation, yet. There are concerns that if the term “rental registry” is dismissed, many of the efforts in working to craft this policy will not result in legislative action. While the staff recognizes this issue may be controversial, the recommendation is to retain the existing language and the proposed language, since discussions may be ongoing.

The Council Motion requests that the term “rental registry” be replaced with “improved Code Enforcement system.” The staff recommends retaining the “rental registry” term, but also including the proposed “improved Code Enforcement system” language, which will provide the ability for either proposal to be considered. Thus, the staff recommends the following:

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~-text:

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**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

**RECOMMENDED STRATEGY 2.A.**

**HOW**

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6. Establish annual inspections for rental properties and for houses at time of sale. Develop a rental registry, **or improved Code Enforcement system**, to ensure that occupied rental properties are up to code.

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**Reason for Recommendation:**

1. Retaining the existing language while including the proposed language allows for both a rental registry and an improved Code Enforcement system to be considered should legislation be introduced.

**Reconsideration: Chapter 5, Item f. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation and retain the language proposed for deletion (in addition to the new language) found on page 19, “Recommended Action” 2.B., number 1 in the “how” column, relative to Neighborhood Land Trusts.

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 2. Redevelopment of blighted and vacant properties in all neighborhoods, focusing strategies to meet the respective needs of stable neighborhoods, recovering neighborhoods, and revitalization neighborhoods.**

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**RECOMMENDED STRATEGY**

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**2.B.** In neighborhoods and areas with increasing market activity, prevent displacement of existing residents while continuing to invest in improvements.

**RECOMMENDED ACTIONS**

**HOW**

1. Work with neighborhood groups, non-profits, faith-based organizations, and affordable housing developers to create new opportunities for affordable ownership and rental housing.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion recommends retaining the original language in the “Recommended Action” of Goal 2.B. as it exists now in the Master Plan as well as adding the proposed language included in Text Amendment 05-05. The staff agrees that keeping the existing language and adding the proposed language, which includes establishing Neighborhood Land Trusts, addresses the intent of the proposed Goal 2.B., which states “In neighborhoods and areas with increasing market activity, prevent displacement of

existing residents while continuing to invest in improvements.” For clarity purposes, the staff has modified the language slightly, changing “potential” to “potentially.”

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

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**GOAL 2. Redevelopment of blighted and vacant properties in all neighborhoods, focusing strategies to meet the respective needs of stable neighborhoods, recovering neighborhoods, and revitalization neighborhoods.**

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**RECOMMENDED STRATEGY**

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**2.B.** In neighborhoods and areas with increasing market activity, prevent displacement of existing residents while continuing to invest in improvements.

**RECOMMENDED ACTIONS**

**HOW**

1. Work with neighborhood groups, non-profits, faith-based organizations, and affordable housing developers to **establish Neighborhood Land Trusts to act as land banks and potentially** create new opportunities for affordable ownership and rental housing.

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**Reason for Recommendation:**

1. Retaining the existing language as well as including the proposed language is consistent with the stated goal and is in keeping with providing opportunities for affordable ownership and rental housing.

**Reconsideration: Chapter 5, Item g. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation on page 21, Goal 2, “Recommended Strategy” column, subpart 2.D., 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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 2. Redevelopment of blighted and vacant properties in all neighborhoods, focusing strategies to meet the respective needs of stable neighborhoods, recovering neighborhoods, and revitalization neighborhoods.**

**RECOMMENDED STRATEGY**

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**2.D.** Encourage innovative, experimental and low-cost uses of vacant properties to enhance the likelihood that a vacant space will eventually find a permanent use.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion did not include a text modification; but did include a request to define the term “vacant properties” to ensure legal consistency in the following text, “Encourage innovative, experimental and low-cost uses of **vacant properties** to enhance the likelihood that a vacant space will eventually find a permanent use.” The staff supports ensuring legal consistency between Louisiana Revised Statutes, the City Code and Charter, the Master Plan, and the Comprehensive Zoning Ordinance. Since the language that is subject to this request refers to vacant properties which staff understands to mean vacant structures, the “Vacant structure” definition in the

Code of the City of New Orleans should be used in this case to ensure the legal consistency.<sup>1</sup>

**Staff Recommendation:** Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

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**GOAL 2. Redevelopment of blighted and vacant properties in all neighborhoods, focusing strategies to meet the respective needs of stable neighborhoods, recovering neighborhoods, and revitalization neighborhoods.**

**RECOMMENDED STRATEGY**

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**2.D. Encourage innovative, experimental and low-cost uses of vacant propertyies, which is defined as property that contains a structure that:**

**(1)**

**Is without visible signs of continuous human habitation by persons legally entitled to be on the premises; and**

**(2)**

**Is substantially devoid of functional contents pertaining to the operations or activities customary to occupancy; or**

**(3)**

**Is unsecured, such that it is accessible without force to trespassers or other unauthorized persons.”**

to enhance the likelihood that a vacant space will eventually find a permanent use.

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**Reason for Recommendation:**

1. The proposed change adds clarity and ensures legal consistency between the subject text and the City Code.

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<sup>1</sup> Sec. 26-150. - Definitions

**Reconsideration: Chapter 5, Item h. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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” 4.B., relative to providing resources to restore housing with appropriate flood protection measures.

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

**RECOMMENDED STRATEGY**

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4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion recommends retaining the original language in the “Recommended Strategy” column of Goal 4. as well as adding the proposed language included in Text Amendment 05-05. The staff agrees that keeping the existing language, which addresses the provision of resources for flood protection in affected neighborhoods while also including proposed language addresses the intent of Goal 4., which states “Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.” However, the staff recommends including the word “resilient” when referring to the provision of resources for housing.

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~-text:



**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

**RECOMMENDED STRATEGY**

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4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans. **Provide resources for resilient housing in all affected neighborhoods, with appropriate flood protection measures.**

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**Reason for Recommendation:**

1. Retaining the existing language as well as including the proposed language is consistent with the stated goal and is in keeping with the intent to provide resources, resilient housing, and flood protection in neighborhoods.

**Reconsideration: Chapter 5, Item i. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation on page 26, Goal 4, “Recommended Strategy” 4.B, 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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

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**RECOMMENDED STRATEGY**

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**4.B.** Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.

**HOW**

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4. 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.

**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion did not include a text modification; but did include a request to define the term “adjudicated property” to ensure legal consistency in the following text, “Explore processes to direct publicly owned and adjudicated property toward affordable and mixed-income housing development.” The staff supports ensuring

legal consistency between the Louisiana Revised Statutes, the City Code and Charter, the Master Plan, and the Comprehensive Zoning Ordinance. The Louisiana Revised Statutes defines “adjudicated property” and the staff agrees that the stated definition should be used to ensure consistency.

**Staff Recommendation:** Approval

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**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

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**RECOMMENDED STRATEGY**

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**4.B.** Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.

**HOW**

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4. Explore processes to direct publicly owned and adjudicated property, **which is defined as property of which tax sale title is acquired by a political subdivision,**<sup>2</sup> toward affordable and mixed-income housing development in high-value, high-opportunity neighborhoods and in areas near high-frequency transit corridors.

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**Reason for Recommendation:**

1. The proposed change adds clarity and ensures legal consistency between the subject text and State law.

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<sup>2</sup> La. R.S. 47:2196

**Reconsideration: Chapter 5, Item j. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation on page 26, Goal 4, “Recommended Strategy” 4.B., 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.”

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

**Recommended Strategy**

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**4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.**

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8. Implement a mandatory inclusionary zoning ordinance based on the findings of a study completed by national experts.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

The concern is that an inclusionary zoning ordinance should be targeted to include areas that are approximate to employment centers and transit lines while providing incentive measures to increase development of affordable housing. The staff agrees that the text in Chapter 5 should be more specific stating these priorities in the consideration of an inclusionary zoning ordinance. As initially proposed in No.4 of the “Recommended Strategy” in Goal 4.B. the language does not expand on these specific goals, which are also included the *Housing for a Resilient New Orleans* report.

The Council Motion includes alternative language specifying where inclusionary zoning should be implemented and that it should be crafted to include incentives and cost offsets.

The staff supports the proposal to remove the reference basing an inclusionary zoning ordinance on the findings of a specific study. The alternative language is more targeted and specific in terms of the City’s goals for an inclusionary zoning ordinance. While the staff supports the language proposed in the Council Motion, the staff recommends a modification to include additional language referencing inclusionary zoning for both mandatory and voluntary programs as both approaches should be considered in crafting an inclusionary zoning ordinance in order to increase the development of affordable housing.

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

\*\*\*

**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for residents of all income levels.**

**Recommended Strategy**

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**4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans. Provide resources for resilient housing in all affected neighborhoods, with appropriate flood protection measures.**<sup>3</sup>

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8. Implement ~~an~~ ~~mandatory~~ inclusionary zoning ordinance **including both mandatory and voluntary approaches focusing in areas of opportunity, based on the findings of a study completed by national experts. especially along transit lines, 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.**

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**Reason for Recommendation:**

1. The proposed change adds specificity while providing clarity as it pertains to an inclusionary zoning ordinance.

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<sup>3</sup> The changes to the **underlined, bold** text in the staff’s recommendation under the Recommended Strategy 4.B. are not part of this request; however, there was a request for reconsideration in request Chapter 5, Item h., for which the staff is recommending “Approval.” Therefore, the staff has included the change in this section for consistency.

**Reconsideration: Chapter 5, Item k. (Text 05-06)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation on page 29, Goal 4, “Recommended Strategy” 4.D., item 7 in the “How” column, to consider the following additional language “, and determine the appropriate Future Land Use Categories whereby the proposed ‘second main use dwelling units’ are appropriate.”

**What is the existing language recommended by the City Planning Commission?**

**GOAL 4. Reinvent housing policies to support quality neighborhoods and meet the diverse housing needs of all households, and support a range of rental and homeownership options for all residents of all income levels.**

**RECOMMENDED STRATEGY**

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**4.D.** Maintain and expand market-rate housing choices and housing supply.

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**HOW**

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7. Explore zoning options for second main use dwelling units (or mother-in-law suites) to increase density with market rate housing units in appropriate neighborhoods.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests additional language be added to the text that would require determination of the appropriate Future Land Use Categories where second main use dwelling units are allowed. The staff does not find this language is necessary since second main use dwelling units, or Multiple Principle Buildings as they are termed in the Comprehensive Zoning Ordinance, are subject to zoning districts that allow at least two units and said zoning districts must be in accordance with the FLUM designation.

**Staff Recommendation:** Maintain original text recommended by the City Planning Commission

**Reason for Recommendation:**

1. The recommended language is unnecessary since it is already required that a site's Future Land Use Category and corresponding zoning district allow at least two residential units.

**Reconsideration: Chapter 5, Item 1. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 1. Enhanced Character and livability for neighborhoods, with investments to improve quality of life.**

\*\*\*

**Recommended Strategy**

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**1.B. Establish systems to enforce quality of life regulations and eliminate nuisance businesses.**

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2. *Create a rental registry that includes an established inspection regime and fine system for rental properties that are not up to code. Include mechanisms to help enable small and lower-income landlords to comply.*

*Who: Mayor’s Office; City Council; Code Enforcement; financial partners*

*When: First five years*

*Resources: Staff time; fines; loan-loss reserve or loan program*

The creation of a rental registry for occupied rental property inspections is a necessary step given that many New Orleanians currently are living in substandard housing conditions. Currently, the rental registry process is under study with housing advocates and landlords to determine how a system can be created that is not overly financially burdensome, yet enables inspectors to check on whether buildings are up to code to ensure that residents are not living in conditions that are dangerous to their safety or health. In addition, a loan-loss reserve and loan program are being established to assist lower-income and smaller landlords comply with the need to bring their buildings up to code. Once this process is complete, the City Council will adopt the results of the rental registry group findings.

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**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

The idea of establishing a “rental registry” has been in discussion for several years, but has not resulted in legislation, yet. There are concerns that if the term “rental registry” is dismissed, many of the efforts in working to craft this policy will not result in legislative action. While the staff recognizes this issue may be controversial, the recommendation is to retain the existing language and the proposed language, since discussions are ongoing.

The Council Motion requests that the term “rental registry” be replaced with “improved Code Enforcement system.” The staff recommends retaining the “rental registry” term, but also including the proposed “improved Code Enforcement system” language, which will provide the ability for either proposal to be considered. Thus, the staff recommends the following:

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~striketrough~~ text:

\*\*\*

**GOAL 1. Enhanced Character and livability for neighborhoods, with investments to improve quality of life.**

\*\*\*

**Recommended Strategy**

\*\*\*

**1.B. Establish systems to enforce quality of life regulations and eliminate nuisance businesses.**

\*\*\*

2. *Create a rental registry, **or improved Code Enforcement system**, that includes an established inspection regime and fine system for rental properties that are not up to code. Include mechanisms to help enable small and lower-income landlords to comply.*

*Who: Mayor’s Office; City Council; Code Enforcement; financial partners*

*When: First five years*

*Resources: Staff time; fines; loan-loss reserve or loan program*

The creation of a rental registry, **or improved Code Enforcement system**, for occupied rental property inspections is a necessary step given that many New

Orleanians currently are living in substandard housing conditions. Currently, the rental registry process is under study with housing advocates and landlords to determine how a system can be created that is not overly financially burdensome, yet enables inspectors to check on whether buildings are up to code to ensure that residents are not living in conditions that are dangerous to their safety or health. In addition, a loan-loss reserve and loan program are being established to assist lower-income and smaller landlords comply with the need to bring their buildings up to code. Once this process is complete, the City Council will adopt the results of the rental registry group findings.

\*\*\*

**Reason for Recommendation:**

1. Retaining the existing language while including the proposed language allows for both a rental registry and an improved Code Enforcement system to be considered should legislation be introduced.

**Reconsideration: Chapter 5, Item m. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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.

**What is the existing language recommended by the City Planning Commission?**

\*\*\*

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

\*\*\*

**2.A.** In neighborhoods and areas with limited market activity and more vacant property, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity. Some areas continue to face challenges of limited housing market activity and large numbers of vacant properties. In these areas, strategies should include improving conditions of homes through homeowner rehabilitation funds and implementing basic health and safety standards for rental properties. With limited market interest, and high levels of vacant lots, exploring alternative land uses as well as low-cost methods of transferring vacant lots to neighborhood residents can generate stability and a sense of ownership and possibility. Many of these neighborhoods are isolated and have limited access to amenities. Neighborhood revitalization efforts should focus on catalytic investments that increase access to quality jobs, recreation, transit, and increased safety.

**Recommended Action**

\*\*\*

- 6. Establish annual inspections for rental properties and for houses at time of sale.*
- Develop a rental registry to ensure that occupied rental properties are up to code.*
- Who: City Council (ordinance); Safety and Permits; Code Enforcement*
- When: First five years*
- Resources: Fees to be paid by landlords and sellers*

New Orleans is a majority-renter city; as of 2015, 55% of households in New Orleans rent their homes. Providing safe, quality, affordable rental housing is thus a critical priority for New Orleans residents. In many communities, rental registries are used to monitor the physical condition of rental units. Such programs ensure rental units meet minimum health and safety standards by requiring landlords to register their properties, and allow them to be periodically inspected for

compliance with applicable codes. The registries and associated inspections provide a proactive method for addressing deteriorating housing conditions. This preventative approach is in direct contrast with more typical code enforcement practices, in which code violations are only identified during construction projects or following a complaint. Currently, housing advocates are working with local rental property owners to devise a system that will be sustainable and self-funding.

\*\*\*

**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

Yes. The idea of establishing a “rental registry” has been in discussion for several years, but has not resulted in legislation, yet. There are concerns that if the term “rental registry” is dismissed, many of the efforts in working to craft this policy will not result in legislative action. While the staff recognizes this issue may be controversial, the recommendation is to retain the existing language and the proposed language, since discussions are ongoing.

Yes. The Council Motion requests that the term “rental registry” be replaced with “improved Code Enforcement system.” The staff recommends retaining the “rental registry” term, but also including the proposed “improved Code Enforcement system” language, which will provide the ability for either proposal to be considered. Thus, the staff recommends the following:

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~-text:

\*\*\*

**GOAL 2. Focus investment strategies to meet neighborhood needs and promote equity and access to opportunity.**

\*\*\*

**2.A.** In neighborhoods and areas with limited market activity and more vacant property, focus on catalytic investments and community-based programs that benefit existing residents and increase access to opportunity. Some areas continue to face challenges of limited housing market activity and large numbers of vacant properties. In these areas, strategies should include improving conditions of homes through homeowner rehabilitation funds and implementing basic health and safety standards for rental properties. With limited market interest, and high levels of

vacant lots, exploring alternative land uses as well as low-cost methods of transferring vacant lots to neighborhood residents can generate stability and a sense of ownership and possibility. Many of these neighborhoods are isolated and have limited access to amenities. Neighborhood revitalization efforts should focus on catalytic investments that increase access to quality jobs, recreation, transit, and increased safety.

### **Recommended Action**

\*\*\*

*6. Establish annual inspections for rental properties and for houses at time of sale. Develop a rental registry, **or improved Code Enforcement system**, to ensure that occupied rental properties are up to code.*

*Who: City Council (ordinance); Safety and Permits; Code Enforcement*

*When: First five years*

*Resources: Fees to be paid by landlords and sellers*

New Orleans is a majority-renter city; as of 2015, 55% of households in New Orleans rent their homes. Providing safe, quality, affordable rental housing is thus a critical priority for New Orleans residents. In many communities, rental registries, **or improved code enforcement systems**, are used to monitor the physical condition of rental units. Such programs ensure rental units meet minimum health and safety standards by requiring landlords to register their properties, and allow them to be periodically inspected for compliance with applicable codes. The registries, **or improved code enforcement systems**, and associated inspections provide a proactive method for addressing deteriorating housing conditions. This preventative approach is in direct contrast with more typical code enforcement practices, in which code violations are only identified during construction projects or following a complaint. Currently, housing advocates are working with local rental property owners to devise a system that will be sustainable and self-funding.

\*\*\*

### **Reason for Recommendation:**

1. Retaining the existing language while including the proposed language allows for both a rental registry and an improved Code Enforcement system to be considered should legislation be introduced.

**Reconsideration: Chapter 5, Item n. (Text 05-07)**

**What was the text amendment that is proposed for modification?**

Consider modifying the recommendation on page 58, Goal 3, part 3.A., to revise the reference of “Rapid Reconnaissance Plans” with “land use surveys”.

**What is the existing language recommended by the City Planning Commission?**

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**GOAL 3. Access to retail and services from all neighborhoods**

**3.A Revitalize existing neighborhood commercial districts and create new compact, mixed- use neighborhood centers along transit corridors and on underutilized commercial and industrial land.**

**RECOMMENDED ACTIONS**

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- 2. Create a template for surveys of commercial corridors in the short term for neighborhood commercial districts that have received special designations and more developed Area Plans in the medium term.*

*Who: CPC (templet and coordination); business and neighborhood volunteers*

*When: First five years*

*Resources: CPC staff time; volunteers*

Simple Rapid Reconnaissance Plans should be undertaken for neighborhood commercial districts that have received special designations, such as Cultural Products Districts. (See Volume 3, Chapter 5 for more information on Cultural Products Districts.) With Planning Commission staff oversight, these Reconnaissance Plans should be based on a common, simple template that can be used by business and neighborhood volunteers and organizations (or students or others from whom they can obtain free or low-cost assistance) to identify strengths, weaknesses, opportunities and threats (“SWOT” process) and prioritize the needs in their districts. The Planning Commission should then coordinate dissemination of the results of these Reconnaissance Plans to city departments (for use in developing work plans), economic development entities, cultural entities, and other groups to help attract attention to the opportunities in these districts.

More sophisticated Area Plans, either stand alone or within larger neighborhood or district plans, can also be prepared for commercial districts. Central to these plans should be a market analysis that includes an evaluation of how the district fits into the broader network of commercial districts within the city. The plans should include robust

neighborhood participation events and coordination with Main Street programs—which provide resources for the comprehensive redevelopment of historic, neighborhood-scale commercial areas—neighborhood associations, Stay Local (a New Orleans-based organization that promotes locally- owned businesses) and other appropriate groups. The plans should include analysis of markets; transportation, circulation and parking; urban design; development opportunities; management issues; and impacts on and transitions to adjacent residential areas.

\*\*\*

**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests a text modification to replace “Rapid Reconnaissance Plans” with “land use surveys.” Rapid Reconnaissance Plans were initially intended to provide an immediate summary of conditions in an area or corridor so that strategies for revitalization could be prioritized immediately. The staff agrees with the proposal since the Rapid Reconnaissance Plan concept was initiated in the aftermath of Hurricane Katrina as a way to deal with the rebuilding and recovery in areas that experienced damage. Since implementing the Master Plan, the City has been able to move past initial recovery and rebuilding to implementing area or resilience plans that allow for the application of preventative measures and strategies.

**Staff Recommendation:** Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~striketrough~~ text:

\*\*\*

**GOAL 3. Access to retail and services from all neighborhoods**

**3.A Revitalize existing neighborhood commercial districts and create new compact, mixed- use neighborhood centers along transit corridors and on underutilized commercial and industrial land.**

**RECOMMENDED ACTIONS**

\*\*\*

*2. Create a template for surveys of commercial corridors in the short term for*

*neighborhood commercial districts that have received special designations and more developed Area Plans in the medium term.*

*Who: CPC (templet and coordination); business and neighborhood volunteers*

*When: First five years*

*Resources: CPC staff time; volunteers*

Simple ~~Rapid Reconnaissance Plans~~ land use surveys should be undertaken for neighborhood commercial districts that have received special designations, such as Cultural Products Districts. (*See Volume 3, Chapter 5 for more information on Cultural Products Districts.*) With Planning Commission staff oversight, these ~~Reconnaissance Plans~~ land use surveys should be based on a common, simple templet that can be used by business and neighborhood volunteers and organizations (or students or others from whom they can obtain free or low-cost assistance) to identify strengths, weaknesses, opportunities and threats (“SWOT” process) and prioritize the needs in their districts. The Planning Commission should then coordinate dissemination of the results of these ~~Reconnaissance Plans~~ land use surveys to city departments (for use in developing work plans), economic development entities, cultural entities, and other groups to help attract attention to the opportunities in these districts.

More sophisticated Area Plans, either stand alone or within larger neighborhood or district plans, can also be prepared for commercial districts. Central to these plans should be a market analysis that includes an evaluation of how the district fits into the broader network of commercial districts within the city. The plans should include robust neighborhood participation events and coordination with Main Street programs—which provide resources for the comprehensive redevelopment of historic, neighborhood-scale commercial areas—neighborhood associations, Stay Local (a New Orleans-based organization that promotes locally- owned businesses) and other appropriate groups. The plans should include analysis of markets; transportation, circulation and parking; urban design; development opportunities; management issues; and impacts on and transitions to adjacent residential areas.

### **Reasons for Recommendation:**

1. The proposed change removes a concept that was developed while the city was in recovery stage and has since been retired.
2. The proposal continues to advocate for the creation of surveys of areas and corridors for neighborhood commercial districts with special designations.



**Reconsideration: Chapter 5, Item o. (Text 05-05)**

**What was the text amendment that is proposed for modification?**

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”.

**What is the existing language recommended by the City Planning Commission?**

\*\*\*

**GOAL 4. Reinvented housing policies to support quality neighborhoods and meet the diverse housing needs of all households**

\*\*\*

**4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.**

**RECOMMENDED ACTIONS**

\*\*\*

*8. Implement a mandatory inclusionary zoning ordinance based on the findings of a study completed by national experts.*

*Who: CPC; City Council; OCD*

*When: First five years*

*Resources: Staff time, non-profit affordable housing advocates such as, HousingNOLA and GNOHA, external funding*

Mandatory inclusionary zoning is a national best practice in housing affordability strategies. Like incentive zoning, inclusionary zoning policies can offer a range of benefits to developers, such as added density, reduced parking requirements, fee waivers, and other incentives, in return for including a percentage of affordability-restricted housing units in their development projects. Currently, HousingNOLA, the City Planning Commission, the Office of Community Development, local housing experts, and local developers are participating in a study to examine the housing market and submarkets in New Orleans to understand which types of developments and which areas can best accommodate mandatory inclusionary zoning. The results of this study will lead to a set of recommendations to be adopted through a CZO amendment and other

measures.

**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

The concern is that an inclusionary zoning ordinance should be targeted to include areas that are close to employment centers and transit lines while providing incentive measures to increase development of affordable housing. The staff agrees that the text in Chapter 5 should be more specific stating these priorities in the consideration of an inclusionary zoning ordinance. As initially proposed in No.4 of the “Recommended Strategy” in Goal 4.B. the language does not expand on these specific goals, which are also included in the *Housing for a Resilient New Orleans* report.

The Council Motion includes alternative language specifying where inclusionary zoning should be implemented and that it should be crafted to include incentives and cost offsets. The staff supports the proposal to remove reference to basing an inclusionary zoning ordinance on the findings of a specific study and is more targeted and specific in terms of the City’s goals for an inclusionary zoning ordinance. While the staff supports the language proposed in the Council Motion, the staff recommends a modification to include additional language referencing inclusionary zoning for both mandatory and voluntary programs as both approaches should be considered in crafting an inclusionary zoning ordinance in order to increase the development of affordable housing. In addition, the staff recommends maintaining consistency with the proposal by removing reference about a specific study in the narrative section.

**Staff Recommendation:** Modified Approval

Additions are shown below as **underlined, bold** text and deletions are shown in ~~strikethrough~~ text:

\*\*\*

**GOAL 4. Reinvented housing policies to support quality neighborhoods and meet the diverse housing needs of all households**

\*\*\*

**4.B. Preserve existing supply and expand the total supply of affordable rental and homeownership opportunities throughout New Orleans.**

## RECOMMENDED ACTIONS

\*\*\*

8. Implement ~~an mandatory~~ inclusionary zoning ordinance **including both mandatory and voluntary approaches focusing in areas of opportunity, based on the findings of a study completed by national experts. especially along transit lines, 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.**

*Who: CPC; City Council; OCD*

*When: First five years*

*Resources: Staff time, non-profit affordable housing advocates such as, HousingNOLA and GNOHA, external funding*

Mandatory inclusionary zoning is a national best practice in housing affordability strategies. Like incentive zoning, inclusionary zoning policies can offer a range of benefits to developers, such as added density, reduced parking requirements, fee waivers, and other incentives, in return for including a percentage of affordability-restricted housing units in their development projects. Currently, **The Mayor's Office**, HousingNOLA, the City Planning Commission, the Office of Community Development, local housing experts, and local developers are participating in a study to examine the housing market and submarkets in New Orleans to understand which types of developments and which areas can best accommodate mandatory **and voluntary** inclusionary zoning. ~~The results of this study will lead to a set of recommendations to be adopted through a CZO amendment and other measures.~~

### Reasons for Recommendation:

1. The proposed change adds specificity while providing clarity as it pertains to an inclusionary zoning ordinance.
2. The proposed change notes that multiple strategies can be used to further development of affordable housing.

**Reconsideration: Chapter 5, Item p. (Text 05-06)**

**What was the text amendment that is proposed for modification?**

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.”

**What is the existing language recommended by the City Planning Commission?**

\*\*\*

**GOAL 4. Reinvented housing policies to support quality neighborhoods and meet the diverse housing needs of all households**

\*\*\*

**4.D Maintain and expand market rate housing choices and housing supply.**

**RECOMMENDED ACTIONS**

\*\*\*

7. *Explore zoning options for a second main dwelling unit (mother-in-law suite) to increase density with market rate housing units in appropriate neighborhoods.*

*Who: CPC; City Council*

*When: First five years*

*Resources: Staff time*

**Have any issues been raised relative to the potential impacts of the CPC’s original recommendation? Does the Council motion include a text modification or were any issues raised that may change or modify the analysis and recommendation? If not, would any further modification be warranted to address the issues?**

No issues relative to the potential impacts of the CPC’s original recommendation have been made.

The Council Motion requests additional language be added to the text that would require determination of the appropriate Future Land Use Categories where second main use dwelling units are allowed. The staff does not find this language is necessary since second main use dwelling units, or Multiple Principle Buildings as termed in the Comprehensive Zoning Ordinance, are subject to zoning districts that allow at least two residential units and second main uses. Zoning districts must be in accordance with the FLUM designation.

**Staff Recommendation:** Maintain original text recommended by the City Planning Commission

**Reason for Recommendation:**

1. The recommended language is unnecessary since it is already required that the appropriate Future Land Use Category and corresponding zoning district be applied to allow at least two residential units and a second main use.