

# Water Collaborative of Greater New Orleans

Comments to the New Orleans City Planning Commission on Master Plan Amendment Submissions, Jan. 2017

## **Vol. 2 Ch. 1 – Office of the Mayor**

We welcome the Mayor's suggestion that resilience be a cornerstone of the Master Plan. The objective of "transform[ing] city systems" to build a New Orleans for the future is particularly relevant to the Master Plan and its use by city agencies. If the plan is to be transformational rather than merely aspirational, however, all agencies and not merely the CPC must integrate the policy goals found in the plan into daily operations and coordinate with sister agencies on cross-cutting goals like resilience and equity.

## **Vol. 2 Ch. 5 – Housing NOLA**

In addition to weatherization and energy efficiency, the scope of assistance to low-income residents referenced in goal 2.A.2 should include household water efficiency and onsite stormwater management whenever practical, as these measures also achieve occupant cost-savings and net energy savings.

We support the inclusion of stormwater management as a legitimate use for undeveloped parcels as proposed in goal 2.A.4.

We concur with the assertion under goal 4.G that "sustainable design principles should ensure that all residents have access to a healthy living environment that efficiently uses resources over time and reduces the potential for flood damage from rainfall events."

The reauthorization of the National Flood Insurance Program referenced in goal 4.G.3 is necessary but not sufficient; the objective of "more affordable" flood insurance should always be paired with the objective of maximizing coverage. It is in the city's best interest to remove barriers to comprehensive coverage so that all homes and businesses are adequately covered in the event of a flood, non-flood storm damage, or other event. This principle (which is perhaps implied, but not articulated) should also be clearly reflected in goal 4.G.4. We concur with the language in goal 4.G.4 calling for the city to pursue an improved rating under the NFIP Community Rating System, which entitles all residents to a discounted flood insurance rate.

## **Vol. 2. Ch. 6 – Office of the Mayor/HDLC**

We support the altered recommendation in goal 3.A to "Develop a 'Resilience Strategies for Historic Commercial Corridors' pattern book," as this concept is compatible with our own recommendations for revisions in this section. We note that a pattern book should adequately explain the principles and best practices reflected in the designs included. This will make it more widely applicable. Similarly, a companion book or appendix on residential neighborhoods would be useful for many residential property owners and developers.

The Water Collaborative would welcome inclusion in the committee described in 3.A.1, which is similar in concept to our own proposal for a public-private advisory committee.

### **Vol. 2. Ch. 6 – Louisiana Landmarks Society**

We support the Louisiana Landmarks proposals for sections 3.C and 3.D, which are similar in concept with our own and compatible with the “pattern book” concept cited above. Each of these related proposals envisions the city as a national model for resilience retrofits that are informed by experts, embraced by community members and made clear to the owners and redevelopers of historic property.

### **Vol. 2. Ch. 7 – ENONAC**

Maps provide by the East New Orleans Neighborhood Advisory Commission’s underscore the fact that New Orleans East lacks lakefront recreational access. Recognizing the complexities of the project, we nevertheless regard Lincoln Beach as a priority site for re-establishing connectivity with Lake Pontchartrain. This objective is also affirmed in comments from the Office of the Mayor.

While ENONAC’s request for park creation and improvement in New Orleans East emphasizes programmed spaces such as ballfields and playgrounds, this subsidence prone area is also well suited to pocket parks following NORA’s “stormwater lot” model, which emphasizes water management, education and passive recreation.

### **Vol. 2. Ch. 7 – NOLA Squared**

We welcome the inclusion of stormwater management and sustainability as criteria in park restoration plans in 7iB-3. The consideration given to low-maintenance plant materials in 7iC-2 should be expanded to preference native plants, which are adapted to local climatic conditions.

### **Vol. 2. Ch. 7 – Sustaining Our Urban Landscape**

We support the suggestion that the city establish a heritage tree designation and explore a compensatory mitigation program for trees lost to development. These proposals are similar in concept to several of our own recommended amendments.

### **Vol. 2. Ch. 7 - Councilmember Cantrell - NOLA Parks for All**

We concur that establishing sub-designations for open space, natural areas and recreational areas can improve the management of public lands within the city. Recognizing that parks provide a range of ecosystem services and social benefits, those responsible for managing our parks should seek to balance these outcomes across the city’s “fleet” of small parks and within its larger park parcels.

We endorse the suggestion that decisions to reprogram public lands in a manner that restricts access to public waterfronts (goal 5) should be subject to heightened scrutiny. This is in keeping with our emphasis on improving the public’s access to and appreciation of the city’s waterfronts and waterways.

### **Vol. 2. Ch. 7 – Office of the Mayor**

While we recognize that not every neutral ground or right-of-way is well suited to green infrastructure, we oppose the removal of the reference to “stormwater management” under goal 2 unless the concept is reintroduced elsewhere. It may be acceptable to decouple the installation of green infrastructure for stormwater management from tree canopy restoration. However, there is a strong case for linking green infrastructure and neutral grounds and rights of way: these linear parcels are the most practical means of intercepting the large volume of runoff generated by city streets.

We support the introduced goal 7.C of “Establish[ing] green infrastructure planting practices and staff resources for green infrastructure in public spaces” through a “comprehensive manual for use by city departments and the general public” and “green infrastructure maintenance team(s) with specialized training to manage and develop green infrastructure elements on public lands.” In addition to those agencies listed, nonprofits like the Water Collaborative and trade associations such as the Water Environment Federation and American Society of Landscape Architects may be able to contribute positively to the manual through creation of a stakeholder advisory group. It is also worth noting that in addition to establishing teams of city staff, the responsible agencies may sometimes determine it cost effective to enter maintenance contracts for green infrastructure with private sector providers.

#### **Vol. 2. Ch. 9 – Office of the Mayor**

We support the suggestion that “environmental and resilient industries” be listed as emerging industries, as this reflects our suggestions. The edited goals 5.A – 5.D constructively spell out the steps needed to realize the city’s aspirations for water sector growth. They rightly synthesize coastal restoration and urban water management, and we particularly welcome goal 5.A.1 “Fully implement the Greater New Orleans Urban Water Plan as recommended in the Resilient New Orleans strategy.” Regarding the timeframe for this goal, it should be understood that it is a near-term priority but will not be completed in five years.

#### **Vol. 2. Ch. 10 – Office of the Mayor**

We support the assertion that “city facilities must set the standard for resilient design, use, and operation,” and concur with the rationale provided.

*Note:* Relatively few edits have been proposed to this chapter by the administration. Consistent with the steps outlined in the “City Planning Commission Universal Amendment Proposals,” we recommend a review of the “fact sheet” data by Sewerage and Water Board. In particular, references to the board’s consent decree with the U.S. EPA, estimated repair costs and available funding in the Capital Improvement Plan appear dated.

#### **Vol. 2. Ch. 11 – Office of the Mayor**

We support the added goal 5.B (as renumbered): “Develop a transportation system that contributes toward a healthier environment for future generations through investments in multi-modal facilities and green infrastructure for stormwater management.” This is imperative because (a) the mostly-paved transportation network is a major contributor of stormwater runoff to the drainage system and (b) the adjacent rights of way and neutral grounds, which provide alternate receiving areas for stormwater, are typically managed in tandem with the transportation network.

For these reasons, more detail is warranted under goal 5.B.3, “Implement stormwater management systems that emphasize green and gray infrastructure solutions.” This could be achieved in part by reference to other passages of the Master Plan dealing with green infrastructure for stormwater management.

#### **Vol. 2 Ch. 11 – Central City Renaissance Alliance**

The proposed strategy, “Fund neighborhood projects to implement low cost redesign solutions for varied purposes – parklets, bike shares and calming traffic,” is compatible with the goal of improved

stormwater management adjacent to roads and sidewalks. For example, replacing painted “no parking” triangles with planting beds can achieve traffic calming at intersections while also reducing runoff. Use of permeable paving options for bike lanes, parking lanes and sidewalks is another such strategy.

### **Vol. 2 Ch. 11 – Port of New Orleans**

The Port’s proposed revised strategy, “Ensure that the City’s hazard mitigation plan and preparedness and response measures are coordinated with the Port, rail and regional freight planning efforts to efficiently and safely move hazardous materials through the city,” calls attention to an important issue: The potential for an unintended release of toxic materials within neighborhoods or waterways. We support this proposal with the additional observation that in some cases, minimizing (in time or volume) the movement of hazardous materials through our city may be the safest option.

### **Vol. 2. Ch. 12 & 13 – Office of the Mayor**

This extensive revision appears largely concurrent with our own recommendation that the *Greater New Orleans Urban Water Plan* and *Resilient New Orleans* strategy be incorporated into the next iteration of the Master Plan. We have endorsed many of the strategies and actions presented in this document in our own amendments and comments above.

Goals 3 and 4 emphasize citizen preparedness for climate change and extreme events. However, goal 2 pays minimal attention given to the impact of private lands on stormwater volume and water quality (only addressing private lands through the CZO). This is important, because the *Urban Water Plan* calls for distributed green infrastructure on private, residential lots. Additional actions should be included to drive retrofitting of private property for system-wide benefit. These include exploring the viability of a drainage fee or stormwater utility and creation of low-interest revolving loan funds for qualifying retrofits. This may be what is intended for the grant program referenced in 3.A.1, but if so the phrase “risk reduction measures,” should be augmented with details.

Proposed goal 6.B.2, “Design and implement green infrastructure interventions to improve water quality,” is the only reference to water quality, and it lacks specificity. This omission should be addressed in the final document, and our own amendments provide some language.

We also support the parenthetical call, “For increased usefulness across the Master Plan document, include metric targets for each goal wherever possible.

### **Vol. 2. Ch. 12 – Sustaining Our Urban Landscape**

We support the policy, also reflected in our own amendments, of identifying and protecting “heritage trees” in concert with the installation of green infrastructure for stormwater management across the built environment.

## Paul Cramer

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**From:** Jay Seastrunk <jay.seastrunk@icloud.com>  
**Sent:** Monday, January 09, 2017 1:44 PM  
**To:** Paul Cramer; Leslie T. Alley; CPCinfo  
**Cc:** Susan G. Guidry; Stacy S. Head; LaToya Cantrell; Patty Gay; slstokes@earthlink.net  
**Subject:** Public Comment > Master Plan Amendments 2016-2017

Below are my comments on the Mayor's Office Proposed Text of new FLUM Categories:

I am completely opposed to the gutting of the original master plan language which with great neighborhood and community input was to preserve the current character and use of our neighborhoods. This wholesale replacement of the goals of the master plan with a white paper generated in the vacuum of the Mayors' office with little broad public comment or input is inappropriate and a wholesale political sell out of the original Master Plan that was formed with significant and broad community input.

1. I especially oppose the proposal to "Eliminate all residential unit densities in all Future Land Use Categories" We have significant quantities of historic housing that are based on one and two family units (low density) – and have been designated as such for decades. We also have some single family residential areas which have been designated as such for decades. To eliminate a direct relationship between residential unit densities and future land use categories (such as one and two family with low density) provides too much flexibility to politicians to change our neighborhoods in ways that most constituents of one and two family neighborhoods are opposed to. The Master Plan was created to provide stability and predictability as well as the rule of law (true equity – not equal outcomes or results) – in practice it has done anything but that, especially with dramatic modifications such as these being proposed by "leadership". I consider this proposal to be a direct threat to the historic one and two family residential neighborhoods of Uptown New Orleans which are a vital part of its historic success as a resilient livable city. In my view this proposal is contradictory to the stated goals of resiliency.
2. I find "allow storm water management / mitigation as a primary use" lacking in description, outcome, and intended result. What does this mean? Does it mean pervious parking lots become an allowable primary use because they allow water to permeate through them? This needs more objectively defined criteria with an explanation of its merits, benefits, and possible negative consequences before it should even be considered as an amendment.
3. I find "Consider increasing allowable density and uses in areas of higher elevation and lower flood risk" to be a direct threat to the historic one and two family residential neighborhoods of Uptown New Orleans and oppose it.
4. Not unlike item 2 above I find "Incorporate built environment risk reduction and adaptation into the "Development Character" of all Future Land Uses to be poorly defined, with none of its benefits and negative impacts stated/defined for evaluation.
5. I find creation of Residential Mixed-Density Suburban a threat to our one and two family neighborhoods – we have more than adequate supply of undeveloped property in a wide range of areas of the city of New Orleans – there is no need to compromise through change existing suburban one and two family residential neighborhoods by mixing in a variety of other uses and densities in with them.
6. I find merging of Mixed-Use Low Density and Mixed-Use Medium density a threat to mixed use low density areas of the city and the low density residential districts adjacent to them. This is all being thrown around without appropriate discussion of what current safeguards are provided by Mixed use low density zoning districts that are not available in mixed use medium density. Again this appears to allow too much flexibility and not enough protection to the currently designated lower density areas.

7. For the reasons discussed above I oppose merging residential single family post war, residential low density post war, and residential multi family into one new category called Residential Mixed-Density Suburban lacking in safeguards and protections for one and two family neighborhoods.

#### Volume 2 Chapter 1 Vision:

1. Equity sounds wonderful but I find it disingenuous at best to be proposing all of these amendments that gut the protections currently offered to low density residential neighborhoods when none of the residents of these low density neighborhoods have been queried or involved in the proposal of the amendments that will dramatically change what is allowed to be constructed in their neighborhoods – so by its very process the current Master Plan Amendment cycle is creating inequity because the residents of the neighborhoods with the most dramatic change proposed are not at the table and are not being heard by the Administration, City Planning Commission, & Council and in fact are barely informed of what kind of changes are in store. So the inclusion of the word Equity is laughable given this. Be it the recent forcing of short term rental commercial activity into residential neighborhoods or the current Master Plan cycles gutting of protections to one and two family residential districts as of now the tax paying long term residents of low density neighborhoods are the underserved and underrepresented whose participation is not occurring in the changes being brought to their neighborhoods – most constituents are not even aware of the details of the change that is proposed much less the real world potential effects – that IS NOT EQUITY, this is 180 degrees in opposition to the Master Plan effort that occurred immediately after Katrina and I would say is even attempting to undo it.
2. The statement box on Equity does not adequately describe the planning means at the cities disposal of “eliminating income and neighborhood inequities” – how does the city propose to do this? Before this statement box is added to the master plan it is critically important to quantify what tools are available to achieve this within the realm of planning, which tools have a proven track record of success, and which tools are supported by the majority of residents in the planning districts effected by their implementation – anything less than this is once again not equitable because it is representing the needs of one group over the needs of another without any input from the groups most effected. Based on the amendments submitted it would appear the city proposes to eliminate income and neighborhood inequities by gutting successful low density neighborhoods through allowing them to be densified then controlling how this added density is injected (via a prejudiced political process) as opposed to allowing capitalistic market forces to control development. It appears that the city wants to eliminate income and neighborhood inequities through economic interference which in the end will make all of the city’s neighborhoods average and simultaneously eliminate the unique qualities that make existing neighborhoods strong. This kind of political interference is a proven destructor of success and value in the detritus of social experiments in city planning that have been foist upon citizens over the decades only to be leveled as failures and replaced with plans there are poorly thought out and quickly implemented with their only mantra being good intentions. Name one successful example in any city of planning and zoning practices that have eliminated income inequity and not destroyed value at the same time?
3. Remove equity from the Resilience box – goals are stronger when they are not intermixed but instead are clearly stated and stand on their own. By stating that “Equity” is the driving force behind our cities economic growth the Resilience box has essentially been hijacked by the equity box above it.

#### Volume 2 Chapter 5 Admin:

- Under section 2 Goal it appears the term Equity defined as being fair and impartial is being confused with the word equal which is defined as the state of being the same in quantity, size, degree or value (identical, uniform, alike). It is fundamentally unfair to those who live in neighborhoods and areas with high levels of market activity and high home prices in one and two family districts to suddenly and radically inject multi-family affordable housing opportunities in their neighborhood using “all tools available” – this is clearly favoring one group (affordable housing customers) over other groups (tax paying long term owners of improved property in successful neighborhoods where they have invested their blood sweat and tears) This is not equity but theft by government reallocation.

#### Volume 2 Chapter 6 Admin:

- The posted document has incomplete edits that are not visible in the pdf due to formatting – this document should be withdrawn because it is not properly posted for public comment.

#### Volume 2 Chapter 7 Admin:

- I am opposed to the elimination of the promotion of tree planting on private property. The trees of New Orleans are a prime asset and should be protected and encouraged. The proposed amendment eliminates the promotion of the planting of trees on private property

#### Volume 2 Chapter 9 Admin:

- It seems odd that under Entrepreneurship and Innovation they are replacing some statistics and updating some information but leaving other information in the document even though it is old and could certainly be updated with more recent data. Data from 2005, 2006, and 2007 could certainly be updated to reflect more recent data.
- Deleting the labor force participation information without updating it suggests this document is for show and not an accurate assessment of the current situation.
- The Administration appears to be re-authoring the entire section without much balance or independent facts being presented.
- Deleting ranking of household income is further evidence of this wholesale authorship.
- Deleting ranking of poverty rate is further evidence of this wholesale authorship.
- The posted document edit is only one page in length yet the document appears to continue to multiple pages. This is not adequately posted for review and comment and should be withdrawn.

#### Volume 2 Chapter 12

- As above this is attempting to inextricably cross define equity and resilience – these terms should stand on their own with no need to reference each other and this significant cross definition (equity is resilience, resilience is equity) weakens the objectivity and intent of the document especially since the ongoing theme is to put these terms in every section in some way without adequately and objectively defining what they mean in terms of outcome and result. What is ideal equity? What is ideal resilience? What is the goal and what does the goal look like in a planning and zoning perspective? Uptown New Orleans after Katrina which included all types of classifications of residence be it race or socio economic was very resilient after Katrina and it had little to do with planning and zoning, but more to do with geography and strength of one and two family neighborhoods which much of these amendments appear to be trying to dilute and eviscerate contradicting the goal of resiliency. Further please define how the current Master plan is lacking in equity before making it such a strong component of the amendments.
- The section on Resilience again appears to be breaking down in its proper use of the term by defining it as it relates to *"inequities in the distribution of environmental benefits and burdens in the city"* – WHAT DOES THIS MEAN? What is an environmental benefit and how is it unfairly distributed? By whom? To Whom? What are the current impacts of climate change on the city of New Orleans and where is the data?? Bringing the largely partisan and contentions ideas of Climate Change into the Master Plan document seems unproductive especially as it relates to a successful city. In order to include this statement in the amendments it should include what methods the city will *"link existing inequities in the distribution of environmental benefits and burdens in the city and reducing the risk for the most vulnerable populations who have the fewest resources available to mitigate the impacts of disasters and climate change"*

#### Volume 2 Chapter 14 Land Use:

- The suggested text placement on Equity needs more validation as it is making statements which are vague and subjective without much backup or objective criteria that define "public good". The Equity text also does not define what an "optimal outcome" is. Before this language is inserted it is critical that the definition of what an optimal outcome is be a required part of of text – without it this becomes a basis statement for removing the rule of law from the Master Plan and turning it into a political tool for politicians to define "public good" and "optimal outcome" at their will with little public input.

- The Goal 5 “Target” has no place in this document without understanding in detail the cost benefit of doing this and who would most negatively be impacted by the high cost of doing this which would likely be those least able to afford it. This is no better illustrated by the placeholder goal of “by X in X year”
- The Goal 6 “Target investments” seems inequitable on its face because it favors some groups over others rather than equity which would be for all citizens of New Orleans.

Volume 2 Chapter 15 Neighborhood Participation Program (NPP-Program)

- This proposed text change appears to be an effort to tie the true definition of equity (fairness and impartiality) that is inherent in a well administered neighborhood participation process (which in my opinion the city of New Orleans does not currently have this MP amendment process being a case in point) to the improper use of the word equity throughout other sections of the Master Plan which imply equal outcome, equal value, equality, identical in every way. Because the term equity is being misused throughout the rest of the document I am opposed to its use in this section.
- The primary pillar of city governance should be neighbors and neighborhoods as constituents. This document is about planning and land use not city governance.
- The Neighborhood councils as originally envisioned should be implemented – the NPP process needs to be strengthened by the participation of neighborhood leaders in different and diverse neighborhood not centralized on the executive branch of the city. No reasons are given why the neighborhood councils have not been established or why they are a bad idea.
- This statement is false: “NEO has defined a notification process that initiates notification to key stakeholders (neighborhood and community leaders) with sensitivity to time schedules and calls for action.” NPP notifications are not advanced enough nor automated enough to garner significant input. The one meeting often has notices that arrive after the meeting has taken place – the information from the meeting (presentation comment etc) is not easily referenced after the meeting has occurred so individuals who could not attend can participate. Public comment process and deadlines are also not easily ascertained on a project basis and it isn’t clear that public comment is acted upon unless a politician gets involved by expressing concern.

GENERAL COMMENT:

The average citizen, myself included does not have the time to review all of these proposals and comment on each and every change much less time to proof read and edit those comments – I have picked a few which illustrate a general pattern in the majority of proposed amendments. They appear to favor vocal groups and organizations who claim to represent some constituency yet have little input from individual residents, neighbors or neighborhoods that will be impacted by the changes. I see proposals generally that appear to vest commercial rights in properties located in residential zoning districts, including properties that are no longer commercial but were at some time in the past, and proposals that appear to support providing undefined and unknown development rights to existing non-conforming properties by changing the language which favored protection of existing historic residential to language that favors re-establishment, expansion or alteration of commercial properties in residential districts with unknown limitations and controls. This is of great concern especially with regard to section 25.3.G.6 Existing nonconforming hospitals in single family or two family residential districts. As an individual I have enquired by email about how these proposed Master Plan amendments might affect zoning of existing hospitals in residential districts and have received no response.

Basically the amendments appear to favor activist interest groups at the expense of individual residents and residential neighborhoods – historically it is the strength of neighborhoods that gives strength and resilience to New Orleans – these master plan amendments appear to want to experiment with the strength of neighborhoods by creating a more homogenous planning guideline where individuality of neighborhoods in both physical and economic aspects is sacrificed for homogeneity and will provide average rather than exceptional results as the detritus of since demolished or blighted past social experiments implemented via heavy handed government planning have achieved.

Best Regards,

Jay Seastrunk