

Section 5 - Implementation Plan

Successful implementation of the Citywide Strategic Recovery and Rebuilding Plan (“Citywide Plan”) will require close and exceptional coordination and cooperation among all local agencies and local officials, in particular, as well as the public, State and federal agencies, and the private and non-profit sectors.

This section of the Plan defines responsibilities for action and implementation to key entities. The Plan also identifies the staffing needs of those key agencies that are charged with local recovery implementation. A premise of this discussion is that the task of recovery and rebuilding is immediate and that we must leverage and enhance existing agencies and organizational structures, rather than invent an array of new ones. This section broadly discusses the issues and regulatory approaches to be considered in the implementation of the plan recommendations. It is not, however, an exhaustive analysis of the implementation measures and regulatory changes needed to fully implement the emerging Citywide, District and neighborhood recovery plans.

5.1 Citywide Plan Approval and Adoption Process

The following timeline illustrate the approval and adoption process for the Citywide Plan:

- ◆ Presentation to the Community Support Organization and the New Orleans Community Support Foundation – January 29, 2007
- ◆ Submission to the City Planning Commission for review and modification – January 30, 2007
- ◆ Public presentation of the Citywide Plan (no public testimony) at the City Planning Commission’s regular meeting – February 13, 2007
- ◆ Public comment period, February through March 7, 2007
- ◆ City Planning Commission’s Public Hearing #1 – February 22, 2007
- ◆ City Planning Commission’s Public Hearing #2 – March 7, 2007
- ◆ City Planning Commission’s Public Hearing #3 – March 13, 2007

In early April 2007, the City Planning Commission is expected to make a recommendation to the City Council on adoption of the Citywide Plan. The City Council and Mayor will have final review and approval of the Citywide Plan; no dates yet set. When the plan is approved, it will become the City’s official blueprint for recovery and can be submitted to the LRA and other public and private entities for implementation funding and support.

5.2 Recovery Timeline

Timelines for project implementation were developed as part of the sector strategies defined in Section 4 of the Citywide Plan. In addition, the staffing needs and costs for key regulatory amendments are discussed in this Section of the Plan. All are summarized in Table 5.1 as an integrated Implementation Timeline across three phases of project execution for the next 10 years. The three phases are:

- ◆ **Short-term** shows the percentage of required investment during the initial period
- ◆ **Mid-term** shows the percentage of required investment during the 3-5 year period
- ◆ **Long-term** shows the percentage of required investment in the 6-10 year period

Table 5.1 Citywide Implementation Timeline

	Short-Term (0-2 years)	Mid-Term (3-5 years)	Long-Term (6-10 years)
Flood Protection	23%	58%	19%
Neighborhood Stabilization	20%	40%	40%
Housing	42%	58%	0%
Economic Development	57%	34%	9%
Infrastructure and Utilities	47%	39%	14%
Transportation	7%	16%	77%
Healthcare	72%	28%	0%
Education	51%	47%	2%
Community Services: Public Safety	52%	45%	3%
Community Services: Environmental Services	34%	58%	8%
Community Services: Recreation and Libraries	22%	46%	32%
Other Municipal and Cultural Resources	20%	30%	50%
Historic Preservation/Urban Design	19%	31%	50%
Implementation – Staffing and Regulatory Amendments	31%	39%	30%

The Citywide Plan estimates of duration are based upon assumptions that the resource commitments defined in the Plan are made prior to planned start of execution for each project, and that the necessary resources can be effectively deployed by the City and other key agencies charged with implementation.

Table 5.2 shows the Implementation Timeline for the three key voluntary programs that are the cornerstone of the strategic and risk-based recovery approach proposed by the Citywide Plan: “Elevate New Orleans,” “Slab-on-Grade” Remediation, and Neighborhood Cluster programs. Their implementation is phased across 10 years.

Table 5.2 Implementation Timeline for Key Voluntary Programs

	Short-Term (2007-2008)	Mid-Term (2009-2011)	Long-Term (2012-2016)
Key Voluntary Programs			
Elevate New Orleans	40%	55%	0%
Slab-on-Grade Remediation	10%	60%	30%
Neighborhood Cluster Program	20%	40%	40%

5.3 Local Recovery Staffing Requirements

While New Orleans recovery and rebuilding effort is massive, it is still a temporary process. The personnel needed to implement the recovery will vary over time and human resources need to be coordinated and scaled appropriately to meet the needs. The Citywide Plan calls for the overall recovery leadership and management to be provided by a Parishwide Recovery Committee and senior staff from the City’s Office of Recovery Management.

Agencies charged with key recovery activities will need to recruit and retain some senior staff with specific expertise needed for recovery. But to the extent feasible, the Citywide Plan recommends that temporary/contract personnel be used across agencies in recovery

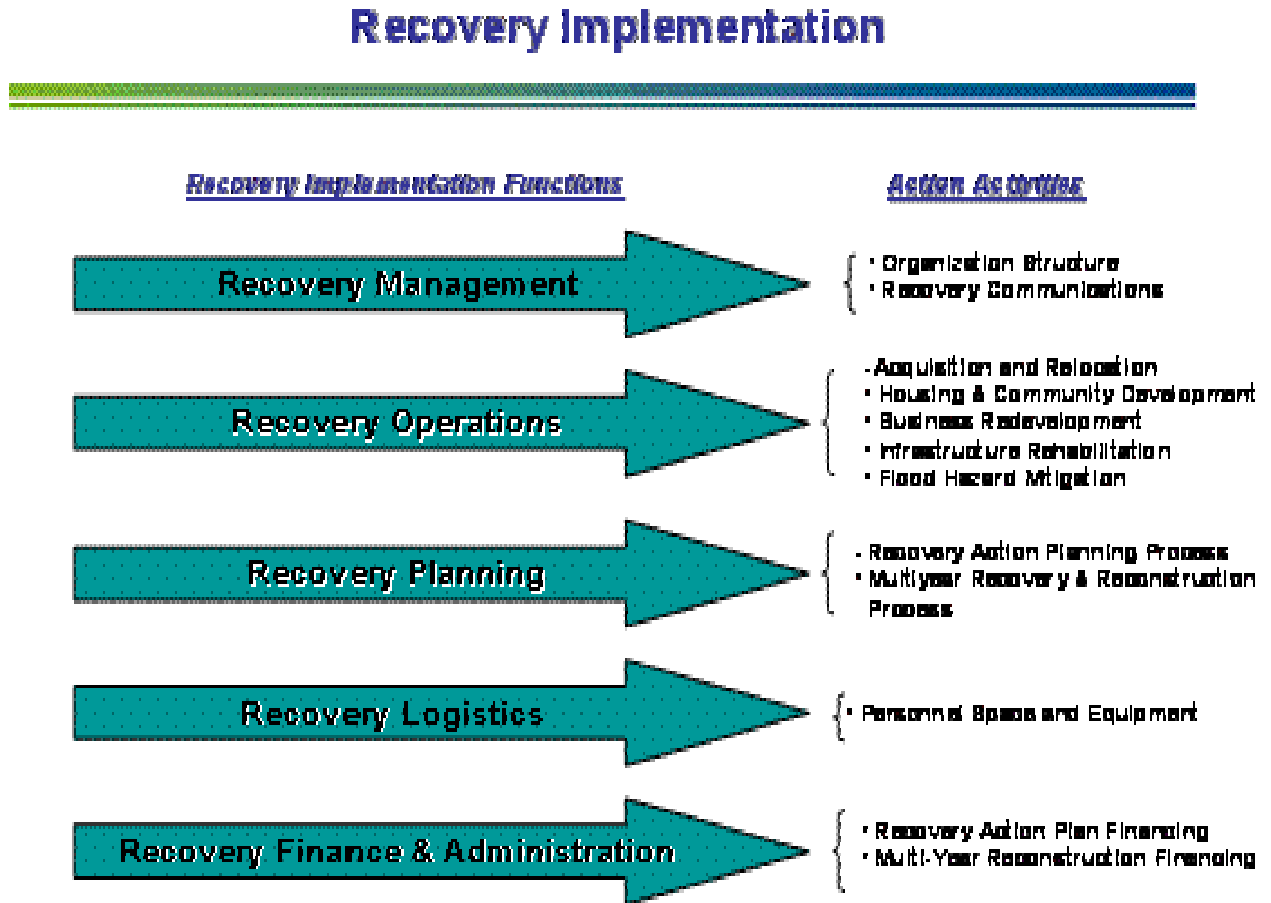
implementation teams, coordinated through the Parishwide Recovery Committee and Office of Recovery Management. This structure allows agencies to leverage best-practices across multiple organizations throughout multiple areas of expertise, and maximize the needed flexibility to share resources as the recovery progresses and situations change. Standards for transparency, best-practices, and performance, should be established to guide the contracting teams in their work.

5.3.1 Staff Augmentation

In general, UNOP recovery management is a temporary process designed to facilitate and expedite the City of New Orleans' recovery. As a result, UNOP recommends that many of the resources needed to implement this recovery effort be performed by temporary/contract personnel. The recovery leadership and senior management should be performed by senior city officials in the Office of Recovery Management who provides overall guidance to the contract recovery implementation teams. This structure allows the city and appropriate agencies to leverage best-practices across multiple organizations throughout multiple areas of expertise. The recovery management high-level organizational structure described in Figure 5.1 allows the City and agencies to maximize the needed flexibility for staff resources as progress develops and situations evolve.

The diagram below defines the five (5) organizational areas of responsibility and action activities required to facilitate the recovery effort: Management, Operations, Planning, Logistics, and Finance/Administration. Each area requires senior leadership, cross-departmental and cross-agency coordination as recovery projects are initiated and implemented.

Figure 5.1 Organization Areas of Responsibility



The augmented staff represents the implementation organizations who are responsible for carrying out the directions of the senior leadership officials. A major emphasis by senior leadership on transparency, best-practices and performance, should guide the contracting teams in their execution activities.

5.3.2 Resource Requirements

The organizational requirements necessary to implement this recovery effort requires significant resources to implement the various projects outlined in this recovery plan. Numerous city departments and agencies require additional resources for recovery purposes to ensure that the projects outline are successfully implemented. The necessary funding for these organizations accompanies the timeframe of the sector-based projects described in Section 5. Some agencies have their implementation team resource requirements imbedded in the budget outline. In the table below, UNOP outlines the resource requirements by organization assuming the Staff Augmentation model discussed above.

Table 5.3 Resource Requirements by Sector

	Short Term (0-2 years)	Mid-Term (3-5 years)	Long-Term (6-10 years)	Total
Hurricane/Flood Protection				
<i>City Departments</i>	\$2,500,000	\$3,750,000	\$6,250,000	\$12,500,000
<i>NORA</i>	\$33,000,000	\$27,000,000	\$0	\$60,000,000
Neighborhood Stability				
<i>NORA</i>	\$56,000,000	\$56,000,000	\$28,000,000	\$140,000,000
Infrastructure & Utilities				
<i>Other entities</i>	\$7,500,000	\$11,250,000	\$18,750,000	\$37,500,000
Transportation				
<i>City Departments</i>	\$5,000,000	\$7,500,000	\$12,500,000	\$25,000,000
Housing				
<i>City Departments and other entities</i>	\$8,000,000	\$12,000,000	\$0	\$20,000,000
The Economy				
<i>City Departments</i>	\$2,000,000	\$3,000,000	\$5,000,000	\$10,000,000
<i>Other entities</i>	\$0	\$0	\$0	\$0
Healthcare				
<i>City Departments</i>	\$1,500,000	\$2,250,000	\$3,750,000	\$7,500,000
Education				
<i>Other entities</i>	\$0	\$0	\$0	\$0
Historic Preservation/Urban Design				
<i>City Departments</i>	\$2,500,000	\$5,625,000	\$12,500,000	\$20,625,000
Environmental				
<i>City Departments</i>	\$500,000	\$750,000	\$1,250,000	\$2,500,000
<i>Other entities</i>	\$16,000,000	\$24,000,000	\$0	\$40,000,000
Public Safety				
<i>City Departments</i>	\$2,500,000	\$3,750,000	\$6,250,000	\$12,500,000
Recreation & Libraries				
<i>City Departments</i>	\$1,750,000	\$2,625,000	\$4,375,000	\$8,750,000
Other Municipal and Cultural Facilities				
<i>City Departments</i>	\$1,000,000	\$1,500,000	\$2,500,000	\$5,000,000
Total	\$138,750,000	\$159,500,000	\$98,625,000	\$396,875,000

5.4 Resource Requirements by Implementing Entity

	Short Term (0-2 years)	Mid-Term (3-5 years)	Long-Term (6-10 years)	Total
City Departments	\$19,250,000	\$30,750,000	\$54,375,000	\$104,375,000
City Planning Commission	\$10,000,000	\$15,000,000	\$15,625,000	\$40,625,000
Office of Recovery Management	\$8,250,000	\$10,500,000	\$12,500,000	\$31,250,000
NORA	\$89,000,000	\$83,000,000	\$28,000,000	\$200,000,000
Other Entities	\$23,500,000	\$32,250,000	\$18,750,000	\$74,500,000
Multiple Agencies (City Departments and Other Entities)	\$8,000,000	\$12,000,000	\$0	\$20,000,000
TOTAL	\$158,000,000	\$183,500,000	\$129,250,000	\$470,750,000

5.3.3 Performance Management


The ability to communicate publicly the overall status of recovery can be an important tool to inspire confidence in the citizens of New Orleans. It is important that the recovery effort deploy a tool that objectively tracks the macro as well as micro elements of the recovery effort. This type of performance monitoring is a valuable tool to assist management and staff with key decision making as it relates to recovery activities. The use of a performance dashboard to understand short and long-term achievement of strategic objectives enables citizens and public officials to make objective value judgments regarding the specific or overall recovery efforts/initiatives.


The dashboard should include quantitative as well as qualitative indicators of recovery activities. This means that it is not only important that work is accomplished in a timely/cost effective manner but also that the quality of the work product meets or exceeds the desired quality standards. The performance management process can encourage and reward contractors and employees for exceptional performance and/or innovation. UNOP believes that a commitment to performance monitoring/management can be a catalyst for improved data-sharing and overall performance throughout city government.


The Performance monitoring Key Performance Indicators (KPI) should include the following:

Key Performance Indicators

Strategic Goal Accomplishments

Red = no progress 

Yellow = partial progress 

Green = full progress 

Financial Expenditure and Budget Variance

Sector Expenditure

Project Expenditure

Performance and Schedule Variance

Sector Execution Timeline

Project Execution Timeline

Contracting Performance

Local Business Engagement

Disadvantage Business Enterprise (DBE) Engagement

Quality Indicator

Project comparison to Quality plan

Sector performance Quality

Customer Satisfaction

- ◆ Citizen Interaction (Courtesy and Efficiency)
- ◆ Citywide, District, and Neighborhood
- ◆ Overall Recovery Satisfaction

Employment Metrics

- ◆ Volunteer Metrics

Organizational Effectiveness

- ◆ Benchmarked Performance Comparison

Risk Assessment

5.4 Parishwide Recovery Management

Coordination and collaboration are difficult in any large organization, especially one as old and complex Orleans Parish, with its many governing institutions. The implementation of this Plan will require close and unprecedented coordination and cooperation between agencies and government officials working for the good of New Orleans. Collaboration will improve the productivity of City/parish government in New Orleans by eliminating duplication of services, and provide a forum to plan for the strategic investment or leveraging of City/parish resources. A local recovery governance model needs to leverage the skills and institutional knowledge of different governing bodies, promotes an integrated approach to management across organizations, and keeps the public involved through information-sharing and participatory methods. The implementation section of the Citywide Plan identifies key roles and responsibilities for recovery management and governance. It also calls upon specific agencies to provide leadership for the implementation of policies, programs and projects proposed in the Citywide Plan.

5.4.1 The Parishwide Recovery Committee

The Citywide Plan calls for the establishment of a Parishwide Recovery Committee. The Mayor should appoint the chair, which this Plan recommends to be the City’s Executive Director of Recovery Management.

The Parishwide Recovery Committee should serve as the “recovery voice” for the entire City. Some of its main objectives should be to articulate a unified strategy and set priorities for implementation of the Recovery Plan, streamline decision-making, and manage the deployment of recovery resources. The Committee must involve the key public agencies charged with managing recovery for core functions. The agency representatives on the Committee must be fully authorized to represent their respective agencies, in providing input from and reporting back to their agency regarding recovery matters.

Participation must include those agencies that are called upon to provide leadership for the policies, programs and projects defined for each Sector of the Citywide Plan. The Committee is recommended to include, but is not necessarily limited to, the following agencies: the co-chairs of the New Orleans City Council Recovery Committee; City Planning Commission (CPC); New Orleans Redevelopment Authority (NORA); Regional Transit Authority (RTA); Regional Planning Commission (RPC); New Orleans Sewerage and Water Board (S&WB); Housing Authority of New Orleans (HANO); New Orleans Public Belt Railroad (NOPBR); Louis Armstrong New Orleans International Airport (LANOIA); Port Authority; Orleans public schools; Orleans Parish judicial agency representatives; and other municipal/parish agencies.

The Committee could adopt a model similar to the Louisiana Recovery Authority (LRA) in adopting action plans for the priorities and use of multi-agency funds, including the potential prioritization and programming of key recovery funds, such as Public Assistance and Hazard Mitigation funds. The Parishwide Recovery Committee should also serve as the lead interface to State and federal recovery funding agencies so that priorities are clearly defined and funds optimized. This should include working with State and federal agencies to maximize the reimbursement and use of key recovery funds, such as Public Assistance, over the next two years.

5.4.2 Office of the Mayor

The Mayor of New Orleans is the executive leader of the City’s recovery. The Mayor can grant the authority to various departments to carry out recovery operations and also has the ability to gain a full commitment from City agencies to constructively participate in the Parishwide Recovery Committee. The Mayor has the lead role in promoting the City’s recovery plan to residents, non-residents, business leaders, and funding entities. The Mayor is the lead advocate for funding at all levels and from all sources: City, State, federal and private. The Mayor also has responsibility for advocating local legislative actions that facilitate recovery, including ordinances, regulatory amendments and any recommended changes to the City Charter.

The Mayor’s executive staff includes the Office of the Chief Administrative Officer, Office of Economic Development, Office of Intergovernmental Affairs, Office of Homeland Security, City Attorney, and Office of Recovery Management. Each has responsibilities for managing and overseeing the implementation of projects under the City’s departmental areas of responsibility. The Citywide Plan calls upon the executive staff to provide leadership and oversee the policies, programs and projects recommended for the Recreation, Libraries, and other Municipal and Cultural Resources sectors of the Citywide Plan.

The Mayor’s executive staff is also called upon to help create recovery communications infrastructure for project implementation planning and citizen outreach in coordination with the Office of Recovery Management. The Mayor’s Office and executive staff should promote integrity and transparency in all recovery-related matters. They should develop and implement a host of recovery communications mechanisms (through the web, email, the media, faith-based organizations, and other grass-roots and civic outreach) to provide up-to-date and continuous information to residents (both local and displaced), businesses and investors on the status of recovery efforts in the City. They should also oversee the creation of Recovery Resource Centers in neighborhoods across the City as proposed by the Citywide Plan. As the recovery progresses, the Mayor’s staff is also called upon to consider implementation of two District Plan proposals – creation of a “livability court”²⁷ that deals with quality of life issues, and a housing/blighted property court.

5.4.2.1 Office of Recovery Management

The Office of Recovery Management was established in December 2006 and, in January 2007, it has an Executive Director and staff hires are underway. The Office of Recovery Management is charged with delivering technical solutions and program management to the recovery effort. It is recommended that the Office of Recovery Management serve as staff to the Parishwide Recovery Committee (recommended for establishment by the Citywide Plan). In a key role as staff for the Parishwide Recovery Committee, the Office of Recovery Management should lead in the preparation of action plans for the multiple agency participants in the council to adopt and implement, and oversee the financing and implementation strategies for all public recovery initiatives. The Office should also establish the compliance guidelines for public recovery initiatives, as well as the program and performance management solutions and ‘best practices’ for the multiple agency participants in the Parishwide Recovery Committee to follow. The Office of Recovery Management should develop a tracking tool that assists management and staff with key decision making as it relates to recovery activities. The use of a performance dashboard to understand short and long-term achievement of strategic objectives enables citizens and public officials to make objective value judgments regarding the specific or overall recovery efforts/initiatives. The dashboard should include quantitative as well as qualitative indicators of recovery activities. This means that it is not only important that work is accomplished in a timely/cost effective manner but also that the quality of the work product meets or exceeds the desired quality standards. The Office should also work with State and federal agencies to develop a more integrated fund tracking system for the parish-wide agencies.

²⁷ Charleston, South Carolina has a model system to consider.

The Office of Recovery Management is called upon to provide leadership and oversee the implementation of key programs of the Neighborhood Stabilization and Flood Protection Sectors of the Plan. In doing so, the Office should work with the CPC to determine where the first phase of voluntary programs (particularly where the proposed neighborhood cluster program) should be offered. It should also work with NORA, the CPC, and the Road Home program to establish the program, funding, and implementation structure for the voluntary elevation, slab-on-grade, and neighborhood cluster programs. Likewise, as these voluntary programs are implemented, the Office of Recovery Management should monitor progress and work with the CPC to decide where next phases of voluntary programs should be offered, and make program alterations, as necessary. The Office of Recovery Management should also coordinate with the CPC in its planning and design of resettlement, including cluster locations, and its proposals for future land uses of lands acquired by the Road Home program or the City as part of the resettlement. It should also work with the CPC and NORA on redevelopment planning for blighted properties. In partnership with the Office of Economic Development (OED), it should also develop a framework to incorporate the Citywide and District Recovery Plans into funding applications, while identifying supplemental funds and investment opportunities.

The Office of Recovery Management should also be responsible for monitoring resettlement in the City. To this end, the Office should work with the Housing Authority of New Orleans (HANO) and other key public, private and non-profit agencies to develop and implement a comprehensive information system to track all residents (local and displaced), understand their recovery decisions, impediments, and status. Efforts should be made to link the system together with FEMA and the Road Home case management. Using a case management approach, the Office of Recovery and other agencies could work together with local and displaced residents to resolve their relocation impediments and promote the various recovery programs funded as part of this Plan as well as from State, federal, and other non-profit and private programs. It should also work with HANO and the CPC to ensure that a comprehensive housing strategy is developed for all residents in the short-, mid- and long-term. The strategy also must be reflected in the development of a Housing Element of the City's Master Plan.

The Office of Recovery Management should also be the coordinator and advocate for recovery volunteer programs. As we have seen throughout the first year of recovery, countless universities, colleges, faith-based and other civic groups have volunteered manpower and resources to the recovery. A volunteer clearinghouse could provide for better skills and needs matching across parish-wide agencies and neighborhoods in the City. In particular, national and local partnerships with university planning and social/urban studies programs should be established to provide technical assistance and citizen/recovery assistance for resettlement. Considerable technical assistance will be needed to help residential property owners, neighborhood-serving small businesses and renters to return and rebuild in more sustainable clusters within their neighborhoods (as part of the voluntary neighborhood cluster program proposed in this Plan).

5.4.2.2 Office of Homeland Security

The Office of Homeland Security & Public Safety has operational and planning authority for the New Orleans Police Department, New Orleans Fire Department, New Orleans Office of

Emergency Preparedness, and the Office of Criminal Justice Coordination. This Office has responsibility for several policies and projects identified in the Citywide and District Plan:

- ◆ Restoration of damage public safety facilities and equipment and development of state-of-the-art facilities and system citywide
- ◆ Enhanced citywide communication infrastructure
- ◆ Provision of state-of-the-art emergency planning and training (both with City and State personnel and the public) for hurricane/flood evacuation.
- ◆ Assess the effectiveness of evacuation and disaster response plans in light of lessons learned from Hurricane Katrina. The Office should work with the RTA to establish a convenient system of transit pick-up and distribution points and a multimodal evacuation system.
- ◆ Conduct public information campaigns about plans and available training through a host of communications media (including but not limited to the web, email, the media, faith-based and neighborhood organizations, and other grassroots outreach).

All improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parish-wide Recovery Council.

5.4.2.3 Department of Safety and Permits

The Department of Safety and permits is responsible for the permitting and enforcement of the City's building codes for the construction and use of buildings and property. Among other responsibilities it issues building, electrical, and mechanical permits, inspects occupational license applications, and serves as the City's floodplain administrator. The Office called upon to provide technical support to the Office of Recovery Management, NORA and the CPC to implement the key programs proposed for the Flood Protection and Neighborhood Stabilization Sectors of the Plan. This Office must also ensure that the many building code, safety and permitting recommendations of the Citywide and District Recovery Plans are evaluated and implemented as appropriate. First and foremost, these Plans call for enhanced and comprehensive code enforcement across the City. To accomplish this, the Office needs adequate staffing and resources to improve the administration of various processes, and ensure that both administrative and inspection personnel are qualified and well-trained. Other key recommendations include:

- ◆ Enforcement of the 50% post-disaster damage determination
- ◆ Implementation of the International Building Code for all new construction, with strong emphasis on hurricane wind and flood construction elements
- ◆ Enforcement of, at a minimum, FEMA Base Flood Elevation standards for all new construction and repairs of properties with post-disaster damage determinations of 50% or greater

- ◆ Work with the CPC to develop and implement design guidelines for repairs and reconstruction across the City. This includes standards and guidelines for structural elevations, slab-on-grade reconstructions, and sustainable cluster designs.
- ◆ Work to prevent post-Katrina blight through stronger code enforcement on permitting and demolition. Working with the Office of Recovery Management, careful attention must be paid, to identifying property owner’s intentions before enforcement actions are taken. Policies and procedures must target the truly abandoned properties.
- ◆ Align the City’s codes and permitting processes with plan, regulation and development code changes.
- ◆ Modify the City’s codes for new structures to set progressive standards for sustainability and energy efficiency (e.g. LEED platinum, gold or silver). This includes ensuring that all City-owned structures are renovated to meet the 2006 International Residential Energy Code or Energy Star standards.
- ◆ Work with alliances, as well as business and trade organizations, to encourage the use of local contractors, and provide professional training programs for contractors and builders on energy efficiency, architectural and historic preservation, and wind/flood protection measures.

5.4.2.4 Department of Public Works

The Department of Public Works constructs, maintains, and administers the City’s transportation elements affecting vehicular, pedestrian, and rail movement within the public rights-of-way. It is also responsible for stormwater drainage of City streets. The Department is called upon to coordinate with the Regional Transportation Authority (RTA) and the Louisiana Department of Transportation and Development (LaDOTD) to provide leadership for implementation of the policies, programs and projects defined the Citywide Plan. It calls first for repair of the heaviest damages across the City to ensure that additional damages are not caused by lack of repair. System improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parishwide Recovery Committee. The Citywide Plan also calls for the creation and implementation of a long-term maintenance and renewal plan to ensure that street and stormwater drainage system repairs and investments made as part of the recovery will be maintained and that the City’s entire systems will eventually be upgraded with on-going maintenance assured. The Department should also work with the CPC and other key agencies to implement the City Bike Master Plan, and conduct the traffic and parking management studies defined in the Citywide and District Recovery Plans.

5.4.2.5 Department of Health

The City’s Health Department is the central healthcare hub connecting institutions and services to individuals and communities throughout the City. Restoration of neighborhood comprehensive care and the provision of state-of-the-art regional medical care are the primary strategies of the Citywide Plan, and the Health Department is called upon to provide leadership and oversee the implementation of all policies, programs and projects proposed for the Healthcare sector in the Citywide Plan. Some key projects include: restoration of comprehensive medical services to

New Orleans East, support for redevelopment of the New Orleans Medical District, and implementation of the State’s Department of Health and Hospitals Plan. All improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parishwide Recovery Committee.

5.4.2.6 Office of Environmental Affairs

The Mayor's Office of Environmental Affairs was established to enhance and protect New Orleans’ environment for current and future generations. It is responsible for broad-based initiatives, such as brownfield redevelopment, climate protection, and coastal and wetlands preservation. The Office of Environmental Affairs is called upon to provide leadership and oversee the implementation of some of the key policies, programs and projects proposed for the Environmental Services sector in the Citywide Plan. In particular, the Office, in partnership with the Louisiana Department of Environmental Quality (LA DEQ), the U.S. Environmental Protection Agency (EPA), the City and NORA, to provide leadership for sustainability/energy-efficiency programs, soil remediation, and brownfield redevelopment policies and programs proposed in the Citywide Plan.

5.4.3 New Orleans City Council

New Orleans City Council is the City’s governing authority and legislative body, and likewise is the legislative authority for the City’s recovery. The City Council will be responsible for adopting the recovery plan and for evaluating and adopting disaster- and recovery-related legislation that will facilitate the recovery implementation. This will include ordinances, regulatory amendments and any recommended changes to the City’s Charter. They should also continue to provide leadership and support to the citizen participation and neighborhood planning processes.

The City Council recently created a Recovery Committee²⁸ that can provide an effective interface between the City Council and City recovery activities. They can package and review disaster- and recovery-related legislation for quick passage and provide Council policy direction to City departments and agencies. The Recovery Committee’s effectiveness will be enhanced by staff assistance in setting agencies and priorities. The co-Chairs of the City Council Recovery Committee should serve on the Parishwide Recovery Committee.

5.4.4 Citywide/Parishwide Agencies

5.4.4.1 City Planning Commission

²⁸ Los Angeles’ City Council created a recovery committee to authorize and legislate recovery policy and programs following the Northridge Earthquake. Its role and actions provide a “best practice model” for the New Orleans City Council to evaluate.

Under the City Charter, the City Planning Commission (CPC) is responsible for preparing disaster recovery plans. The CPC will be the first to review the Citywide and District Recovery Plans and make a recommendation to the City Council for adoption.

Implementation of a Citywide Plan requires an empowered CPC with adequate staff and resources to administer various processes and simultaneously revise plans and planning regulations. The CPC should work with the City's Office of Recovery Management to determine the scope and needs of planning implementation; this includes both technical staff and resources to access technical assistance and support.

Once adopted, the CPC should consider incorporating the Citywide Plan as an official element of the City's Master Plan. Work on development of a Housing Element of the City's Master Plan should begin immediately and be coordinated closely with the Office of Recovery Management and the Housing Authority of New Orleans (HANO) to ensure that a comprehensive housing strategy is developed for all residents in the short-, mid- and long-term.

The Citywide Plan and the District Plans can also serve as the foundation for updates and revisions to other administrative rules and key regulatory devices, including the City's Master Plan and Comprehensive Zoning Ordinance to ensure consistency with the Citywide Plan. Consider developing a Unified Development Code or, alternatively, update the City's Subdivision Regulations to ensure consistency with the Citywide Plan.

The CPC is called upon to provide leadership and oversight for policies, programs and projects proposed in the Historic Preservation/Urban Design Sector of the Plan. The CPC should also work with the Office of Recovery Management, Department of safety and permits, and New Orleans Redevelopment Authority (NORA) to implement key policies, programs and projects proposed for the Flood Protection and Neighborhood Stabilization Sectors of the Plan. In particular, CPC should help refine the recovery planning areas and the criteria and strategies for recovery investment in the key programs for these Sectors: the elevation, slab-on-grade, and neighborhood cluster programs. The CPC should also advise the Office of Recovery Management on where the first phase of voluntary programs (particularly where the proposed neighborhood cluster program) should be offered. Likewise, as voluntary programs are implemented, the CPC should work with the Office of Recovery Management to monitor progress, advise on where the next phases of voluntary programs should be offered, and make program alterations, as necessary. The CPC should also oversee the planning and design of resettlement, including cluster locations, and the proposed future land uses of lands acquired by the Road Home program or the City as part of the resettlement.

In accordance with the City Charter, the CPC is responsible for working with the NORA to prepare a redevelopment plan for blighted properties that NORA would then implement. The CPC should also set priorities to help encourage and facilitate the redevelopment of underutilized areas of the City that are located in higher elevation areas. The CPC should oversee and coordinate with NORA on the series of small area studies and plans that resulted from the District Plans and are proposed as part of this Citywide Plan.

The CPC should also work with the HDLC to determine the appropriateness of expanding local historic district boundaries, an idea that features prominently in many District Plans. The CPC should work with the Department of safety and permits and the HDLC to develop design guidelines for the rebuilding that protect historic districts and respect architectural and neighborhood character across the City.

5.4.4.2 Sewerage and Water Board

The SW&B provides sewer, water and drainage services for the City. SW&B has a significant role in restoring and improving the sewer and water systems across the City over the next decades. The Citywide Plan calls first for repair of the heaviest damages across the City to ensure that additional damages are not caused by lack of repair. System improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parishwide Recovery Committee. The Citywide Plan also calls for the creation and implementation of a long-term maintenance and renewal plan to ensure that the water and sewer systems investments made as part of the recovery will be maintained and that the City's entire system will eventually be upgraded with on-going maintenance assured. The SW&B must also continue its efforts to provide additional (and more reliable) pumping capacity to reduce the risk of flooding in the short-term until the USACE permanent pump stations are in place.

5.4.4.3 New Orleans Redevelopment Authority

The New Orleans Redevelopment Agency (NORA) has a new Board and a new Director. Under State law and through its land banking capability, NORA can acquire and resell individual adjudicated properties and package together blighted properties for buyers to acquire.

In implementing the Citywide Plan, NORA is called upon, with the Office of Recovery Management, City Council, CPC and other key City agencies, to develop guidelines for post-Katrina adjudication that ensure transparency, careful consideration of post-Katrina challenges of owners to rebuild, and provide proper notification and public participation. NORA should also work with Neighborhood One, the City Council and other agencies to streamline the processes for making abandoned and adjudicated properties available for sale at attractive, below market rates so that additional residents and businesses can purchase and rehabilitate the properties, as proposed by the programs in the Plan.

NORA is called upon to work with Neighborhood One and other key City agencies to identify and coordinate the reuse of blighted, abandoned and adjudicated properties, which is expected to significantly increase post-Katrina. NORA should help prioritize the current backlog of abandoned and adjudicated property for reuse based upon its elevation and viability for reuse as part of the City's recovery. It should then work to expedite these properties for reuse in an expeditious manner. NORA should also partner with the City Property Management Office to evaluate the status of, and potentially adaptive reuse of publicly-owned buildings.

NORA should work with the CPC and the Office of Recovery Management to design the property transfer mechanisms necessary to implement the neighborhood cluster program, and to

coordinate financing on behalf of the City and with the State’s Road Home program so that resident received coordinated benefits and services. NORA should also work with the CPC in the development of plans for the reuse of properties acquired by State’s Road Home, including recommendations for buyout with hazard mitigation funds and resale and packaging for redevelopment.

NORA should also work with the Neighborhood One, the CPC and Office of Recovery Management to monitor recovery blight and the reuse of underutilized properties. As the recovery progresses, these agencies should study the use of alternative mechanisms for residents and business to purchase and rehabilitate blighted properties, including the ‘lot next door’ program. This study should be undertaken in the mid-term, after other policies and programs to stabilize neighborhoods have been implemented.

5.4.4.4 Housing Authority of New Orleans

The Housing Authority of New Orleans (HANO) is charged with “providing safe, decent, affordable housing to low-income citizens by creating and sustaining viable communities; and to facilitate resident self-sufficiency and upward mobility through productive collaboration²⁹.” Prior to Katrina, HANO, led by a HUD-installed Receiver Team, was working on the revitalization and major redevelopment of the public housing portfolio. “Opportunity for all to return” is a core principle of the Citywide Plan, and HANO is called upon to work closely with the Office of Recovery Management, NORA, and CPC to provide leadership for the policies, programs, and projects proposed for the Housing Sector of the Citywide Plan. To assist in implementing the housing strategies outlined in the Plan, HANO must have additional staffing and federal, State, and local support to meet the vast array of post-Katrina housing needs in the City.

The Citywide Plan recommends that there be a sufficient number of low-income housing units rehabilitated or rebuilt to accommodate all displaced former public housing tenants who want to return. HANO is also called upon to work with the federal department of Housing and Urban Development (HUD) to ensure that all public housing in the City be rehabilitated or rebuilt to the highest standards, to incorporate low-income housing and potentially mixed-uses, and to be of a higher density than current HOPE VI policies suggest. HANO also should work with other agencies and oversee the creation and implementation of the many other programs and projects proposed in the Plan, including: homebuyer assistance programs; rental housing and relocation assistance programs; and transient worker housing.

HANO is also called upon to work with CPC and the Office of Recovery Management in developing/reusing HANO’s citizen-tracking system and developing a comprehensive housing strategy for all residents in the short-, mid- and long-term. HANO should also work with the CPC on the development of a Housing Element of the City’s Master Plan. HANO should work with the Office of Recovery Management, NORA, Neighborhood One, and the CPC to develop all housing programs and strategies proposed in the Citywide Plan. It should also work with State

²⁹ www.hano.org

and federal agencies to expand the provision and enhance local marketing of all the federal and State housing support programs, including vouchers, tax credits and public housing.

5.4.4.5 Recovery School District/Orleans Parish School Board

The Recovery School District (RSD) now manages the majority of school-related facilities in Orleans Parish. The primary strategies of the Citywide Plan are to: create and maintain an equitable, competitive and unified school system; restore and rebuild the local physical plant according to “best practices;” and adopt and maintain a solid academic curriculum. The RSD, in coordination with the Orleans Parish School Board, is called upon to provide leadership and oversee the implementation of all policies, programs and project proposed for the Education sector in the Citywide Plan. Some key projects include: repair of existing facilities, provision of temporary, modular facilities, and establishment of neighborhood community centers on school campuses. All improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parish-wide Recovery Council.

5.4.4.6 Regional Transit Authority

The Regional Transportation Authority (RTA) constructs, maintains, and administers New Orleans’ public transportation system. In keeping with other transportation and infrastructure strategies, the Citywide Plan calls for the repair and replacement of the heaviest damages to transit systems across the City to ensure that additional damages are not caused by lack of repair. Transit system improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parishwide Recovery Committee. The RTA should provide leadership for the regional and statewide policies and project proposed by the Citywide Plan, such as the regional commuter rail system. The RTA should also work with the Office of Homeland Security & Public Safety to assess the effectiveness of evacuation and disaster response plans in light of lessons learned from Hurricane Katrina, particularly for transit pick-up and distribution points and assurance of a multimodal evacuation system.

5.4.5 Regional Agencies

5.4.5.1 Regional Planning Commission

The Regional Planning Commission (RPC) has transportation functions and responsibilities as the Metropolitan Planning Organization for the New Orleans urbanized area. It oversees the planning, construction and maintenance of all the major streets and highways. In keeping with other transportation and infrastructure strategies, the Citywide Plan calls for the repair and replacement of the heaviest damages to the major streets systems across the City to ensure that additional damages are not caused by lack of repair. Systems improvements and recovery action plans must be coordinated with the resettlement effort and the work of other agencies through the Parishwide Recovery Committee. The RPC should also work with the CPC and other key agencies to conduct the I-10 studies and implement the East-West corridor plan. The RPC should also work with the Office of Homeland Security & Public Safety and RTA to assess the effectiveness of evacuation and disaster response plans in light of lessons learned from Hurricane Katrina.

5.5 Citizen Participation

The citizens of New Orleans have invested their time, their hearts and their vision in creating a plan for their neighborhoods and their city. In return, the City must now and forever invest in its citizens as shareholders in the Plan and as stakeholders in the City.

New Orleans now has an educated army of “citizen-planners” who have found their voice and worked tirelessly over the many months of planning. They can provide a meaningful voice in implementing their plan and guiding all future government policy-setting and decision-making. Neighborhood residents need to be involved as their plans go forward: to ensure that their spending priorities are followed, that their neighborhoods revitalize as they envision, that their city becomes a vibrant home with opportunity for all.

With development comes opportunity; with development also comes social and civic responsibilities. Going forward, neighborhoods, developers and the City must act as partners in determining the site, scope and nature of major development projects. All such projects should include community benefit agreements for the common good of the community and the City.

A formal process for citizen engagement must be developed and implemented to facilitate neighborhood recovery and future development, and to ensure that citizens continue to have a voice in the City’s future. Cities as diverse as Birmingham, New York, Atlanta and Portland have formal citizen participation programs that involve residents in formal decision-making development and decision-making; such a program must be established in New Orleans, with a legal mandate and a formal role in making decisions on land use, zoning and quality of life issues that impact citizens and neighborhoods. Linkages to both the City Council and the City Planning Commission need to be explicit. Several organizational models exist in New Orleans and many new proposals were developed as part of the District Plans. All these need to be considered in developing the ultimate structure that links neighborhood community groups with City recovery governance. Citizens must be involved in the final design and implementation of a citizen participation program and it is recommended that steering committee be formed to assist with the effort. It should be comprised of the Mayor’s Office, City Council and CPC leaders as well as representatives of community groups and expert advisors. The City should also provide training and technical assistance to nascent community organizations (in particular the Community Development Corporations) emerging from the recovery planning processes. This might be accomplished through partnerships with national organizations, such as the Enterprise Foundation, and universities.

Also, as part of the recovery, regular, up-to-date information about the status of recovery must be made publicly-available in order for residents, businesses, and investors to make individual and collective judgments about the recovery process. Additionally, formal opportunities must be created for the citizens of New Orleans to come together on a regular basis to review the progress of their City’s recovery and shift rebuilding priorities. New Orleanians who have not been able to move back to the City must have an opportunity to remain involved and have a continuing voice in rebuilding.

All parish-wide agencies need to expand their use of public participation, make their decision-making more transparent, and provide greater opportunities for public input in decision-making processes. Agencies can use websites and e-mail to communicate new actions, publicize opportunities for public participation, and receive comments electronically. Agencies can also change the way they report their work, describing accomplishments, findings, and changes in the regulatory process in plain language that is easy to understand. Agencies should adopt and implement ‘best practices’ in effective public participation and workshop processes. These should include provision of opportunities for public comments, enhanced information dissemination about performance goals and progress in accomplishing those goals.

5.6 State and Federal Participation

Both the state and federal government are critical to helping fund and support the City’s recovery efforts. Representatives at both levels of government should interface with the City, through the Office of the Mayor and the Parishwide Recovery Committee to help the City and all key agencies involved with recovery overcome obstacles that may be impeding the reasonable flow of current recovery funds to the recovery effort. In particular, this Plan calls for a comprehensive review of the approval and reimbursement of Public Assistance requests made to eligible entities, parish-wide, particularly in light of gaps and needs identified through the Citywide and District plan process. Representatives at both levels of government should also interface with the City, through the Office of the Mayor and the Parishwide Recovery Committee to identify State and federal sources of both disaster- and non-disaster-related funds. These representatives should also work with the City and Parishwide Recovery Committee to establish a means of facilitating a more rapid recovery. Mechanisms must be established for improving the flow of funding, directly from State and federal sources to local agencies, over the course of the recovery.

A cornerstone of the Citywide Plan is safety and mitigation of hazards, both natural and manmade. There are four federal funding programs authorized by the Stafford Act (as amended) and focused on hazard mitigation. All are funded through the Federal Emergency Management Agency (FEMA) and administered by the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness (GOHSEP)³⁰. Two of the programs, Public Assistance and Hazard Mitigation Grant Program funds, are already available as a result of the 2005 presidential disaster declarations. Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA) are appropriated by Congress on an annual basis. PDM can be used for a wide variety of projects to mitigate all hazard types, while FMA focused on specific flooding problems. Both PDM and FMA are available to fund pre-disaster projects.

Federal and State agencies are strongly encouraged to work with the Office of the Mayor and the Parishwide Recovery Committee to help maximize the use of the available funds for the safety and hazard mitigation programs and solutions proposed in the Citywide Plan. It may be necessary to identify areas where current enabling legislation and regulations for these funding programs runs counter to the City’s proposed programs and request the issuance of new guidance permitting activities on a limited or pilot basis. For example, in requests from several States

³⁰ Specific requirements and criteria for these different grant programs are available at <http://www.fema.gov/government/grant>

following Katrina and Rita, FEMA has allowed HMGP funding to be used for a new mitigation technique called “mitigation reconstruction.” This technique was not previously eligible for funding but now, under this pilot program, if certain conditions are met, existing at-risk or substantially damaged structures can be demolished and a new, elevated and more resilient structure built on the same property.

Other specific recommendations from the Citywide and District Plan processes that require federal and/or State support in implementation are:

- ◆ Federal and State commitment to provide Cat 5 levee protection and wetlands restoration to protect all citizens and property in the Parish. This includes secured funding and oversight to ensure that the U.S. Army Corps of Engineers and the Sewerage and Water Board complete 2007 plans and 2010 construction projects on time, and develops and initiates long-term plans for Cat 5 levee protection and wetlands restoration.
- ◆ Federal commitment to make changes to the Stafford Act that enable disaster-affected communities to receive federal recovery funds more expeditiously, and also allows those communities maximum flexibility in developing creative approaches to disaster recovery.
- ◆ Federal support to ensure that a sufficient number of low-income housing units are rehabilitated or rebuilt to accommodate all displaced former public housing tenants who want to return.
- ◆ Federal support to ensure that all public housing in the City be rehabilitated or rebuilt to the highest standards, to incorporate low-income housing and potentially mixed-uses, and to be of a higher density than current HOPE VI policies suggest.
- ◆ Federal and State support for the development of a low-income housing technical assistance strategy that accommodates all displaced former public housing tenants both in the short- and long-term.
- ◆ Federal and State support to expand the provision and enhance local marketing of all the housing support programs, including vouchers, tax credits and public housing.
- ◆ Federal and State support to develop tax incentives to attract and retain businesses, and also strengthen the City’s economic development linkages across the State and nation
- ◆ State conduct of a comprehensive reexamination of the Road Home program funding and implementation in Orleans Parish. This includes review of eligibility criteria, award and loan calculations, and efficiency in delivery.
- ◆ State support to integrate the Road Home and City recovery programs (i.e. for elevation, slab-on-grade, and neighborhood clusters) to provide a more comprehensive and seamless complete package of recovery funding for New Orleans residents and businesses.
- ◆ State support for the redevelopment of the New Orleans Medical District and implementation of its Department of Health and Hospitals Plan.
- ◆ State and federal support for the institution of best practices in public education, implementation of a small school model, strengthening of charter school laws,

development of partnerships to recruit and retain teachers, and re-unification of an Orleans Parish School Board.

5.7 Non-Profit and Private Sector Participation

The commitment and generosity of the non-profit and private sectors has already been extraordinary, and hopefully will continue and even expand. A major principle of the Unified New Orleans Plan process has been to provide individuals, businesses and investors with the necessary information to facilitate recovery and rebuilding in the City.

Many of policies, programs, and projects articulated in the Citywide Plan will require non-governmental support and participation. The Plan's strategic framework and strategic management approach aims to integrate the work of parish-wide agencies, citizens, and state and federal agencies to assure investors that the recovery can be successfully achieved and investments safeguarded in every neighborhood of the City. Through the Office of Recovery Management and Parishwide Recovery Committee, it also can provide a more centralized and streamlined access point for non-profit and private sector participation in the recovery implementation. Key sectors and areas of the Plan that are in need of non-profit and private investment are Housing, Economic Development, Citizen Participation, Healthcare, Education, Recreation and Library Cultural Resources, and Historic Preservation/Urban Design.

5.8 Key Local Regulatory Amendments

A successful recovery depends equally upon the effective implementation of two basic fiscal investment strategies – a steady stream of primarily public investment in infrastructure projects and a steady stream of private dollars into real estate development projects. Both the private and public sector must be encouraged to significantly invest in the new, New Orleans. For such development to occur in a timely manner and, more importantly, for the results to be respectful and complementary to the historic and cultural character of the City, new zoning and new regulatory approaches will be needed that remove barriers and provide incentives for desirable development. Many of the new approaches discussed herein have been successfully utilized in other large American cities. New Orleans needs to employ the best of those ideas to achieve the type of community and neighborhoods that its citizens, businesses and political leaders desire.

The City must remove any unnecessary regulatory roadblocks and develop up-to-date land development rules, laws and ordinances that are designed to achieve the type of community and neighborhoods that its citizens, businesses and political leaders desire and articulated in the Citywide and District Recovery Plans.

As a first task, it is recommended that the Parishwide Recovery Committee, with leadership from the Office of Recovery Management and City Planning Commission, evaluate the adopted Plan and develop a prioritized list of regulatory and policy changes that are needed for the City and key parishwide agencies to effectively implement the Plan. Three key regulatory issues identified through the Citywide and District Plan processes that have been specifically studied and addressed by this Plan are:

- ◆ Updates to the Master Plan
- ◆ Updates to the Comprehensive Zoning Ordinance
- ◆ Updates to the Subdivision Regulations and Unified Development Code

More information about the scope of these projects is available on Project Sheet #90.

5.8.1 Updates to the Master Plan

Of the twelve official elements of the City’s Master Plan, eight were completed prior to Katrina. The Citywide and District Recovery Plans and plan recommendations provide a tool for the City to use to re-evaluate the completed elements and also provide a set of metrics and standards for completing the outstanding elements of the Master Plan. Update and review of the Master Plan should begin immediately, starting with preparation of the Housing Element of the Master Plan. The Master Plan should have the force of law. A Master Plan with the Force of Law should require all land use actions and regulations, including the Comprehensive Zoning Ordinance, to conform to the Master Plan. The Citywide Plan should be adopted as an element of the City’s Master Plan.

5.8.2 Updates to the Comprehensive Zoning Ordinance

The current New Orleans comprehensive zoning ordinance contains 49 base districts, including 9 zones for just the Central Business District. There are 12 residential zoning districts, including three “single-family” zones; four “two-family” zones, and five “multi-family” zones. All districts follow a conventional zoning model, with each spelling out the types of uses allowed and establishing density and dimensional standards, such as lot size, setback and height requirements. In addition, there are 15 overlay districts, including four design overlays³¹, four corridor overlays, and four planned development overlays³². Additionally, the code contains supplemental use regulations that affect at least 62 different uses, ranging from heliports to world fairs and including such common uses as restaurants, funeral homes and bed-and-breakfast facilities.

To more effectively implement the land use development proposals evolving out of the City and District Planning efforts, it must overhaul the Comprehensive Zoning Ordinance (CZO). New Orleans need not “re-invent the wheel” in deciding which approach to use in re-structuring its current zoning regulations. The City should determine which features of conventional zoning have not been as effective as desired locally and then replace those features with more appropriate tools based on performance and form-based approaches. This structure is called “hybrid zoning” – the incorporation of performance and form-based zoning techniques within the framework of conventional zoning. A new CZO should address the following:

³¹ The overlay district is a special zone placed over an existing base zoning district, and includes regulations that are applied to specific properties in addition to the requirements of the underlying base district.

³² Most conventional zoning ordinances also make extensive use of the “planned development,” that promotes higher quality development design through site-specific planned developments.

1. Improve the user-friendliness of the CZO document.

New Orleans zoning ordinance needs to be less of a collection of rules and more of a reference tool for all potential users: citizens, developers, staff and decision-makers. It should be more readable and include more graphics and tables to supplement, explain and clarify text. Code provisions can be much clearer if they are in illustrative format. Tables could be made showing: who may submit what types of development review applications (i.e. property owner, City Planning Commission, City Council, etc.); what development review applications require a public hearing; or summary of development review saying which bodies make recommendations and final decisions on what applications. The CZO needs a consolidated table of contents. The current code contains a definitions section at the beginning of the document, but no index at the end. A well-crafted index can be extremely useful to the general public and to those who use the ordinance on a regular basis.

2. Reverse-engineer the zoning requirements based on the recovery planning outcomes.

District Plans provide the starting point for the City to essentially reverse engineer the standards for zoning districts, in order to facilitate rebuilding of what was there and of what has been recommended through the planning processes.³³ When the new zoning ordinance goes into effect, there should be little unintentional nonconformity. The only uses, lots or structures that should be nonconforming under the new ordinance should involve situations where the City has made a conscious policy decision that a former or existing use or development pattern is so undesirable that it should be eliminated. It will be particularly important to reverse engineer setback standards and requirements for on-site parking, loading and stormwater management; such standards are impeding rebuilding of some damaged or destroyed buildings in the City.

3. Preserve historic and cultural character.

New Orleans has survived years of development, redevelopment and Hurricane Katrina with a significant number of its historic buildings intact. There are abundant structures and sites throughout the City, which are particularly valuable to the City's unique historic, cultural and aesthetic character. In New Orleans, much of this character has been the result of community ethos, as opposed to design regulations. In the aftermath of Katrina, however, there is the risk that rebuilding will occur in a less than desirable manner that reflects that haste and pressures of recovery. Design guidelines or "pattern books" are needed in many neighborhoods to preserve their historic and cultural character.

Often, the initial response to protecting historic or significant buildings is to seek some type of historic designation through either a district or individual designation. Historic designation alone, however, will not ensure a building's continued viability or even continued existence. Past experience in large urban areas has shown us that to help ensure a structure's continued existence, it is important that the structure remain functionally and economically viable. Many

³³ This type of reverse engineering of district standards was a key element in the recent update of the Chicago Zoning Ordinance.

cities are discovering that the facilitation of a strong adaptive reuse program is one solution. Policies to encourage the reuse of existing buildings began to emerge in the late 1970s.

As local governments identified more effective regulatory approaches, the successful reuse of existing buildings, either individually, or as part of a larger downtown revitalization effort, began to steadily increase. The increase in successful reuse projects is the result of the growing recognition of the inherent benefits in recycling older buildings, including:

- ◆ Ability to strengthen and maintain City’s historic character and unique identity,
- ◆ Potential to bring new life downtown and to resurrect City’s tax base,
- ◆ Intrinsic economic value in using existing infrastructure and buildings,
- ◆ Utilization of basic spatial capacity and flexibility of many older buildings.

4. Facilitate reuse of older structures.

In many communities, adaptive re-use of older buildings for new purposes is a key redevelopment mechanism. Communities have seen successful revival of older buildings refitted as residential lofts, often with ground-floor retail uses. In New Orleans, the availability of buildings appropriate for such re-use is extensive. While the existing zoning ordinance allows new uses in such structures, more modern development standards are needed to guide modifications or improvements to drainage, parking, lighting and landscaping.

Many existing zoning ordinances inadvertently create impediments to redevelopment and adaptive reuse by focusing primarily on future development. They provide a specific set of standards that effectively relates only to new development. There is no recognition of the different characteristics of older structures, nor is there adequate flexibility to address varying re-use situations. The constraints may not be immediately obvious. For example, if a zoning district allows the development of significantly larger structures than existing significant buildings, it increases the likelihood of demolition of older structures and the construction of new buildings. If, however, existing structures are developed to the maximum size allowed by the zoning ordinance, reuse becomes a more realistic option. Reducing certain development standards such as lot sizes, setbacks, drainage and parking requirements for targeted infill areas will also bring some structures back into conformance with the zoning code, allowing these to become viable redevelopment sites.

The CZO update should clarify the rules for “nonconforming” buildings. There are probably hundreds of “nonconforming” buildings in New Orleans. Originally built in compliance with existing rules, they no longer “conform” since zoning regulations have evolved since their construction. Their nonconformity could be anything, including failure to meet current yard, floor area, height, parking, drainage, landscaping, or density standards. Many people, unfortunately, confuse nonconforming with illegal. A much better description for these structures might be “previously conforming,” denoting that they did comply when originally built.

5. Streamline design review processes.

The current regulations have a complex web of architectural and site design standards, some of which are embedded within zoning districts, overlay districts, in “supplemental use standards” for some uses, and in “supplemental standards” and the article on signs. Although anyone developing in the core of Vieux Carré or another significant historic area will expect to encounter a rigorous design review, other parts of the City do not necessarily need the same level of architectural and design scrutiny. The design review process can be streamlined by:

- ◆ Establishing a citywide design template for fences, landscaping, parking lot design, signs and other site features;
- ◆ In districts where it is necessary or important to vary the site design requirements, simply specifying what standards from the citywide template are to be modified;
- ◆ Creating some model, conceptual site plans that illustrate easy ways to conform with the basic site-planning standards on typical lots that occur in the City;
- ◆ Carefully review the various historic districts to ensure that all the design standards contribute to the character of the district and are essential to the purposes of the district;
- ◆ Creating checklists of architectural features that will automatically be considered to meet the standards of particular districts; this may not be practicable in the core of the Vieux Carré and in some other areas, but it ought to be workable for many of the corridor districts and even for some of the historic districts.

6. Ensure adequate mixed-income housing.

All the Citywide, District and neighborhood planning efforts, and accompanying community input, call for more mixed-income housing on higher ground. While single-family homes will continue to be the primary residential resource in New Orleans, existing single-family zoning districts do not adequately offer many residential development options. Allowing duplexes and attached houses on corner lots where each unit is oriented towards a different street might also be a consideration. Those now wishing to develop alternative housing types under the existing ordinance have only two options: (1) develop as planned development, or (2) rezone to a duplex or multi-family district, both of which necessitate more complex development approval procedures than detached dwelling units in conventional subdivisions.

Density or floor-area-ratio (FAR) bonuses might also be used to effectively promote the provision of more housing and more affordable housing in commercial districts. Current regulations provide a FAR bonus incentives for community priorities – greater incentives are currently offered for parks, galleria, arcades, and pedestrian plazas, than for residential uses. The City should consider revising FAR requirements to provide increased incentives for all residential development, and possibly create a special FAR bonus for construction of affordable housing downtown and in other higher ground areas.

7. Consider an inclusionary housing program.

Inclusionary housing programs require “the mandatory inclusion of affordable housing units, or financial set-aside, as a quid pro quo for new residential zoning or development approval.” An inclusionary housing program should focus on providing more housing in the lower risk areas of the City. An inclusionary housing program for New Orleans would include dispersal of affordable housing throughout higher ground elevations and the mandatory production of such housing by the private sector in conjunction with other new residential development. Potential adverse impacts include possible negative effects upon the value of adjacent market units. In addition, inclusionary programs by themselves impact only the residential development sector and not the commercial development sector, thus creating the perception of market unfairness.

Once produced, inclusionary housing units should be secured by deed restrictions designed to guarantee that the units provide housing for target income groups over the long term. Administration of deed restrictions will have some budgetary implications on the City, although fees may be established to cover some costs. In that so many UNOP district plans call for the clustering of affordable housing on higher ground, the City might want to consider allowing increased densities and varieties of housing types, and to enact inclusionary housing requirements.

7. Encourage vertical mixed-use development.

Zoning in most other cities, including New Orleans, is two-dimensional – if a building falls in a zoning district that allows apartments, it can have apartments on the first floor and on the eighth. Full implementation of the Citywide and District Recovery Plans will require an increased mixing of uses, with the City having a greater stake in how and where those uses occur. To rebuild the City with reasonable densities, the revitalized City must have residences in virtually every area. In the CBD, much of the Vieux Carré and other major commercial and destination areas, however, it is essential to maintain lively activity at street level – bars, restaurants, boutiques and shops. Thus, any new zoning ordinance for New Orleans should include use standards in some districts that are different for the street level than for the rest of the building. For a City characterized by its lively mixture of restaurants, bars, shops and residences, New Orleans has a surprising number of districts that permit only one general category of use. Based on district plans, the new zoning ordinance should facilitate additional mixed-use activities in other areas.

8. Reevaluate off-street parking requirements.

The current New Orleans zoning ordinance contains off-street parking standards for all areas of the city, except the downtown and Vieux Carré. As the City recognized in not requiring off-street parking in those districts, the pedestrian is more important than the automobile in certain situations. People drive places where they could walk in part because cities have elected to make it easy for them to do so. Thus, as part of the zoning ordinance update, it will be important to make a critical review of off-street parking standards throughout the document and eliminate unnecessary requirements. Neighborhood businesses and churches are among the types of uses for which more than adequate parking is often required. Off-street parking requirements often act as a disincentive to residential and affordable housing in non-residential districts. UNOP goals include the development of new commercial or shared downtown parking structures to be

managed by the Downtown Development District. To incentive upper floor residential in Commercial districts, the City may wish to reduce or eliminate parking requirements to encourage residential development, and particularly for affordable housing in locations near employment and transit centers.

9. Facilitate infill and redevelopment.

Current zoning codes are generally designed to regulate development on “greenfield” sites (undeveloped suburban land), rather than on “greyfield” or “brownfield” sites within the central City. Due to the many variances needed, developers are often discouraged from infill development. Current regulatory requirements, such as access and off-street parking, on infill lots may not be achievable. Commercial infill may be similarly affected by fire codes, handicapped parking and building code requirements.

Many older commercial strips lie along roadways that have been widened since original construction, leading to exceptionally shallow lots. These commercial lots often have too little parking available, and no landscaping. Residential structures that were once on a two-lane road may have their front yards cut off and now lie in close proximity to new arterials. It is difficult to retain residential tenants in such a setting. Many existing nonresidential lots in the City are too small to accommodate viable commercial infill or development projects.

One of the primary reasons that redevelopment occurs is through an increase in the intensity of a site. An example might be demolishing a one-story retail building and replacing it with a multi-story retail and residential structure. This has multiple benefits for the City, in that it provides modern retail space, improves overall site appearance, and adds “eyes on the street” for increased public safety by including residential units. Many of the City’s districts do not permit this kind of mixed-use development. And current commercial districts severely constrain the ability to develop small-scale mixed-use projects that include residential development.

10. Enhance relationship between buildings and streets.

Regulations in historic districts in New Orleans contain basic standards for building form and the relationship of buildings to streets. Regulations in other districts in New Orleans deal with building form only by limiting height and imposing setback requirements. Yet much of the character of the City is established by the relationships of buildings to streets. Walking along a narrow street with a series of four-story buildings set back only a few feet from the sidewalk creates a very different experience from walking along a wide street with buildings set back large distances. This focus on street corridors appears to be a major element in many of the district plans. At a minimum, barriers to achieving the desired relationship between buildings and streets (such as excessive setbacks) should be eliminated. In many districts, the City might want to consider minimum building heights and maximum setbacks, to create the kind of streetscape its citizens’ desire.

11. Strengthen signage and billboard regulation throughout the City.

Create a comprehensive regulatory program for signs and billboards. Include standards for sign design, materials, lighting and movement (where allowed) that are context-sensitive, varying not

only by district but by streetscape; size regulations that ensure that new signs are proportional to the sites, streets and neighborhoods in which or on which they are located; significant restrictions on signs in residential neighborhoods; neighborhood protection standards, to provide additional limitations on signs in commercial districts that face or are very near exclusively residential neighborhoods; flexibility to encourage creative sign design, within the standards suggested above; limitations of billboard-sized signs to areas and corridors where they are consistent with the plan; limitations on electronic and moving signs to minimize driver distraction on busy corridors; protection for expression of opinions on signs citywide; and a complete Constitutional review of current and proposed regulations to ensure that they are defensible under principles of law evolving from the U.S. Supreme Court, the Fifth Circuit Court of Appeals and the Louisiana Supreme Court

12. Ensure livability of the French Quarter and other areas with live, adult entertainment.

Create a comprehensive regulatory program for adult entertainment. This includes; new zoning controls to ensure livability of District 1 and other areas by mitigating impacts of uses on residents and other sensitive uses; improved permitting process with provisions to revoke or suspend permits for establishments with record of violations of local ordinances; interior design and operating standards tied to permitting process; complete review of existing and proposed regulations to ensure Constitutionality in an evolving legal environment; local study and legislative record to explain new regulations and to be used if necessary in defense of them. Note that this approach would not attempt to ban adult entertainment, which has traditionally had a role on Bourbon Street and elsewhere, but it would provide better management tools consistent with the livability goals of the District 1 Plan.

5.8.3 Updates to the Subdivision Regulations within a newly formatted Unified Development Code (UDC)

The City should consider adopting a new UDC, including an update of subdivision standards and procedures to include a new, expedited minor subdivision procedures for small-scale projects with infrastructure in place, major subdivision procedures, procedural flowcharts (graphical), and improved and streamline improvements bonding and release procedures. The UDC should also include hybrid (i.e. conventional, performance and form-based) zoning principles and approaches, which are more effective in implementing land use development proposals evolving out of the Citywide and District Recovery Plans.

An update of subdivision standards and procedures should include a legal review of State enabling legislation; an update of subdivision standards and procedures to include a comprehensive review of infrastructure requirements, with modifications needed to implement specific Citywide and District plan recommendations (e.g., inclusion of “rain gardens” and other low maintenance drainage features); expedited review procedures and delegation of approval authority to the extent allowed by State law; addition of a new minor subdivision procedure for small-scale projects with infrastructure in place; and improvements and streamlining of the bonding and release requirements and procedures for improvements. The Subdivision

Regulations should also include new graphical flowcharts illustrating procedures for each subdivision type.