The city planning process in New Orleans during the decade following Hurricane Katrina was arguably one of the most challenging periods of city planning in any city, at any point in U.S. history. The first five years were spent primarily in recovery planning phase, and the second five years were spent dealing with complexities and conflicts of the comprehensive zoning process. The challenges were made more daunting by the fact that before the storm the city lacked a history of strong traditional urban planning practices. As a result, most processes had to be constructed from scratch. Despite few financial resources and a series of stops and starts, New Orleans now has a Master Plan as of August 2010, and a Comprehensive Zoning Ordinance as of May 2015. The New Orleans recovery experience can inform other communities about what to do and perhaps more importantly, what not to do when planning to rebuild after a disaster.

The recovery planning process

Having a predictable, orderly land use plan is critical to post-disaster recovery in any city. It is necessary for informing and prioritizing spending as public and private money is invested in the city after the disaster. Limited resources mean that not every rebuilding project can be funded. Planning can help identify the projects most critical to rebuilding. A predictable land use plan assures citizens that their neighborhoods will remain neighborhoods. Also, real estate developers and private investors need a stable and predictable land use plan to guide their decisions. Finally, a land use plan can ensure that buildings and infrastructure will be rebuilt in a stronger and environmentally sustainable manner. At the time the recovery planning process began, New Orleans did not have a predictable land use plan.

The recovery process in New Orleans was extremely confusing in part because many different recovery plans emerged simultaneously and most of these plans did not directly relate to each other. There was a short-term Federal Emergency Management Agency (FEMA) spending plan (called an Emergency Support Function, or ESF plan), a school facilities master plan, and a plan from the Louisiana Recovery Authority (LRA) for infrastructure construction. In addition, there were three competing citywide plans and a large number of neighborhood plans.

In the absence of a decisive, popular mayor communicating a clear and concise vision of what the city should look like, urban political processes will tend to fragment into chaos with sub-groups of self-interest formed around neighborhood identity, ethnic identity, and socioeconomic status. This is what happened in the immediate aftermath of Katrina.
History of the challenge

The post-Katrina planning process was not only challenged by the scale of the disaster, but also by a social and political environment that had not been supportive of planning in the past. The city council heavily influenced the operation of the New Orleans City Planning Commission. The planning process was very politically charged in that many developers went directly to a city council member to discuss zoning changes rather than initiating the formal process of filing documents with the city planning staff. In essence, the planning/zoning process in the past was not always an impartial administrative process adjudicated by credentialed professional city planners. It was quite often a political process adjudicated by politicians. New Orleans land use attorney Bill Borah describes a process of “planning by surprise” that is “totally discretionary and totally political,” in which the advice of credentialed city planners is routinely ignored.

Furthermore, in the past the city had very weak citizen engagement. This is a function both of the city not having a formal process to engage citizens and a culture of disengagement or laissez-faire attitude that tended to permeate all aspects of social life in New Orleans.

The city did not have a Master Plan, and while it did have a Comprehensive Zoning Ordinance, the zoning ordinance in place was outdated and had no teeth. Any developer could get an exception (variance) to the zoning law at any time if he or she could get the votes on the city council. Thus there was no predictability in the land use. It could be changed in an arbitrary and capricious manner.

Key recovery planning developments post-Katrina

The planning for the rebuilding of New Orleans officially began Sept. 30, 2005, one month after the hurricane made landfall, when Mayor Ray Nagin announced the formation of the Bring New Orleans Back Commission (BNOBC). The stated purpose of the BNOBC was to oversee the development of a rebuilding plan for the city. The BNOBC had 17 commission members appointed by the mayor, and was supported by hundreds of volunteer participants, including a team from the Urban Land Institute (ULI).

The BNOBC was funded by national philanthropic dollars from the ULI, as well as individual donations from wealthy individuals and from real estate development corporations. In November 2005, the BNOBC issued the first draft of its report. It recommended that all officials establish one unified request to Congress for support. The report was comprehensive and sophisticated, with recommendations on every major aspect of the city, including culture, tourism, transportation, and economic development.

However, the recommendations that attracted almost all of the attention of the media and the general public were the ones dealing with land use. The BNOBC recommended that the footprint of the city shrink in order to use resources and infrastructure more efficiently while the city rebuilt. The BNOBC also recommended that those areas of the city that were not flooded or were only moderately flooded be rebuilt first to serve as anchors in the rebuilding process. The commission recommended that the areas with the highest level of flooding, such as New Orleans East and the Lower Ninth Ward, not be rebuilt at the beginning of the process since they were long-term projects and needed to demonstrate viability first.

The BNOBC’s land use recommendations caused a backlash from the public because the areas where rebuilding moratoria were recommended tended to be home to a large proportion of poor, working-class, and black residents. The credibility of the BNOBC was further harmed with the publication of a map depicting the areas where the building moratorium would be in effect. It became known in the city as the Green Dot Map because of the way it depicted areas for potential future parkland.

The BNOBC process continued through March 2006, included public meetings and citizen input, and culminated in the publication of a final report. However, the process was never decisively supported (or decisively opposed) by Mayor Ray Nagin, even though he had appointed all of the commissioners; this left many citizens confused and wondering who was in charge.

The city then went through a process of drafting two more recovery plans until approving the Unified New Orleans Plan (UNOP) and submitting it to the Louisiana Recovery Authority, as a condition to receiving infrastructure funding. The Unified New Orleans Plan was primarily a recovery plan designed to guide rebuilding activities.

In the next iteration of the planning process, in early 2008, the New Orleans City Council hired the Boston-based planning firm Goody Clancy to lead the effort to produce a comprehensive Master Plan.

Once again, the city began a long series of public meetings to allow citizens to express their concerns about their neighborhoods and to share their comments on draft versions of the plans. On Aug. 12, 2010, by a 6-0 vote with one council member absent, the final version of the Master Plan was approved. For a more detailed history of the recovery planning process, see Resilience and Opportunity: Lessons from the U.S. Gulf Coast after Katrina and Rita.
Goals of the Master Plan

There are three keywords that govern the Master Plan: livability, opportunity, and sustainability.

The first goal of the Master Plan is livability. It proposes to create compact, pedestrian-friendly, mixed-use neighborhoods combining residential and light commercial uses such as grocery stores. Goals also include a blight eradication program to spur redevelopment and the construction of parks within walking distance of every resident.

The second goal is opportunity. The plan proposes to provide market analysis to determine which industries are most likely to thrive within the unique New Orleans environment and to target infrastructure investment to support those specific industries. This targeted investment could include facilities for film, television, and music production. The plan also proposes a one-stop shop where businesses could go to receive all necessary city permits as well as receive information about disadvantaged business grants and technical assistance with marketing and advertising.

The third goal is sustainability. The sustainability vision is broken down into three parts: resilience, transportation, and green building initiatives. The plan proposes that the city become more resilient by coordinating flood control programs in order to learn to live with water. The central idea is to employ the techniques that have been used successfully in the Netherlands (The Dutch Model) to build a system of canals where flood water would flow through the city without inundating buildings during a storm event.

In terms of transportation, the plan calls for more public transit lines, more bike paths, and a system of regular road maintenance. The public transportation piece is especially important because the city has never had a modern and comprehensive public transit system like those that characterize most economically vibrant cities in the United States.

Finally, the Master Plan emphasizes that New Orleans become a green city. It will do so by providing tax incentives for citizens to retrofit existing houses or build new houses using green technology. Green technology includes the addition of solar panels as well as using storm-resistant and energy efficient materials.

Outcomes of the recovery planning process

Did the post-Katrina planning process make a positive difference in the lives of the citizens of New Orleans? The answer is yes. First of all, the federal government required an official recovery plan from the city in order for New Orleans to receive certain types of infrastructure money from Community Development Block Grant (CDBG) funds through the LRA. Not having a plan would have further delayed infrastructure funding. The UNOP plan, which incorporated parts of the earlier plans, served the purpose of meeting the requirements of the LRA and the federal government.

The second major positive outcome is the high-quality of the Master Plan. It includes a best practices approach by using research and knowledge of what has worked and what has not worked in the past. This comprehensive approach had never been used in New Orleans in the past. It is also holistic in the sense that, in addition to dealing with zoning and land use issues, it focuses on figuring out how the city can live naturally with water and integrate itself with nature, rather than trying to dominate, control, and suppress nature—the failed practices of the past.

A third positive outcome has been that the planning process organized neighborhoods and the citizenry in general to a greater extent than ever before. The result has been more citizens involved in the democratic process now than before Katrina. At the beginning of the post-Katrina planning process, most citizen participation was motivated by fear. Citizens felt that if they did not show up at public meetings and voice their opinions, their neighborhoods would be bulldozed and they would not be permitted to return. Many neighborhood residents also believed that the federal funding process was a zero sum game. As a result of the planning process, the city now has a large list of highly active neighborhood groups. A formal neighborhood participation process ultimately developed as described below.

The fourth major positive outcome is that the city greatly improved what had been a very weak planning tradition before Katrina. This weak framework had put the city at a competitive disadvantage with other major cities in the United States, especially for business relocation decisions. Most business owners look for order and predictability when it comes to zoning and land use. New Orleans had little such predictability in the past.
However, there were some negative aspects of the planning process. First, it was a long, costly, and inefficient process. Because the process started and stopped several times, it took longer to deliver a final product to the LRA. This delayed the release of necessary funds to the city. Because several different planning processes were competing with each other, the process ended up with a higher price tag than if it had been completed in one unified step at the beginning. This higher price was borne by the philanthropic organizations that funded the process, the city taxpayers, in terms of the work of the city planning staff, and the millions of volunteer hours from both residents and nonresidents that could have been focused more efficiently.

While it is certainly true that the size and complexity of the planning challenges were unprecedented, it is possible that if Mayor Ray Nagin had provided more decisive and focused leadership at the beginning of the recovery planning process, it could have been one process rather than multiple, competing processes. A single recovery planning process would have been faster, less expensive, and more efficient. However, there is no doubt that a single process would still have been highly contentious and divisive.

A final negative aspect of the post-Katrina planning process was “planning fatigue.” As years of planning dragged on after the storm, many citizens grew tired of attending meetings and not seeing tangible results after all of the work and time they put in. They felt the pace of recovery was too slow. Planning fatigue was made even worse when the city planning process transitioned from the recovery stage to the comprehensive zoning phase in 2010, because the pace of recovery slowed down even more.

THE COMPREHENSIVE ZONING PROCESS

Once the Master Plan was approved in 2010, the city planning process transitioned from the recovery phase to the comprehensive zoning phase. Before May 2015, land use in New Orleans was governed by a Comprehensive Zoning Ordinance that had been in place for decades and was totally ineffective in a modern city. Although it had been amended many times, the ordinance had not been revised since 1995, and the 1995 revision was simply a reworking of zoning maps that had been in place since the 1970s. The 1970s zoning ordinance had been amended so many times that it was riddled with inconsistencies and contradictions. The last effort at a comprehensive revision of the zoning ordinance resulted in a 2002 draft that was not adopted. Although there were a number of public meetings on the 2002 proposed ordinance and many residents participated, the business and development community did not participate to the same degree and later voiced opposition to it. The City Planning Commission and Mayor shelved the draft in 2002 due to community opposition and perceived conflicts between the comprehensive zoning draft and the Master Plan document that was in effect in 2002.

The new Comprehensive Zoning Ordinance (CZO) was developed simultaneously with the post-Katrina Master Plan and its purpose is to translate the Master Plan’s policies into user-friendly land use and development regulations.

The adoption of the current CZO was a painstakingly slow process. Although three public review drafts of the CZO were made available online to the public between 2011 and 2015, and they were subjected to over 20 public meetings, which resulted in over 1,000 recorded comments, the final version of the ordinance was not approved by the City Council until May 14, 2015.

The slow pace of CZO approval was caused by conflicts over key provisions in the document. As has been the case during much of the post-Katrina planning process, most of the conflicts are between real estate development, hospitality, and entertainment, on one side, and coalitions of homeowners associations and historic preservation groups, on the other. The conflicts tend to fall into four areas:

1. Language explicitly preserving the “historic character” of the French Quarter. (Removed from the final version of the ordinance, supported by specific preservation groups.)

2. Height limits on buildings along the Mississippi River. (Specific neighborhood groups support lower limits than currently in ordinance.)

3. A provision granting the city council and planning officials leeway to grant exceptions to zoning laws on a case-by-case basis. Included in the ordinance. (Opposed by some neighborhood groups and good government advocacy groups.)

4. Restrictions on late night restaurants, alcohol sales, and live music. (Specific neighborhood groups requested earlier closing times, and a moratorium on new late night venues.)

These controversies predate the current CZO planning process and represent long-standing divisions within New Orleans. Although several recent mayoral administrations, assisted by the city council, have attempted to mediate these conflicts, they remain, and will likely remain for the foreseeable future. Although the specific zoning conflicts are many, and the issues are complex, it basically comes down to a difference in subjective values. These two competing values are: preservation and commerce. The conflict is between historic architecture and traditional neighborhood character on one side and a free-market commercial environment to attract new development, new tourists, and new jobs on the other.
NEIGHBORHOOD PARTICIPATION PROGRAM

Although many reforms in the new CZO are contentious, one post-Katrina planning reform received broad community support: The Neighborhood Participation Program for Land Use Actions (NPP), designed to increase community participation. Some changes to the Comprehensive Zoning Ordinance are a result of recommendations generated through the NPP. The program invites affected neighbors’ input into zoning decisions by requiring representatives of projects seeking zoning changes, conditional uses, or variances to submit to a public forum prior to moving forward with the project. Notifications of the meeting and proposed zoning changes are sent to residents, neighborhood associations, and businesses within a specific radius of the project, as well as to the council member representing the district where the property is located. After a community meeting is held, project applicants create a report with the comments and concerns expressed at the meeting. This report on the NPP process is then submitted to the city with the zoning change application. The report is posted online for public viewing. The City Planning Commission (CPC) staff review the application, to which the NPP report is attached. The CPC staff then makes recommendations to the city planning commissioners.21

NOTICE ME

One part of the new Neighborhood Participation Program, which is cutting-edge in terms of best practices of planning methods nationwide, is the “Notice Me” tool. Notice Me is a personalized notification tool that emails citizens to inform them that paperwork has been filed to change a land use designation within a neighborhood. Citizens can go to the Notice Me website and create an account. Once registered, citizens will receive email notification of any proposed land use changes within their designated geographic area. They also receive notices when a public hearing is scheduled, when a report is ready, and when final action has been taken by the City Planning Commission or Board of Zoning Adjustments.22

Cautions and implications for future policy

Even with the new reforms, the city planning process will still be dependent on politics. It is still highly dependent upon the city council and the mayor working together and heading in the same direction. In order for the planning process to work efficiently, it will be necessary for the mayor to continue to articulate a clear, concise vision of the city for the people to rally around.

Another concern is that the city is still highly dependent on receiving funding from the federal government to complete infrastructure rebuilding. The best plan in the world cannot be implemented without money, and the needs of New Orleans continue to extend beyond the means of the city or state. Federal money must continue to flow in order for the city’s growth to proceed. The federal funds that matter most to New Orleans are Community Development Block Grant funds because they are usually earmarked for infrastructure construction. Although the Master Plan does guide the spending of city and state funds, at present, both the city and the state governments are operating with very tight budgets, so their ability to fund capital construction projects will continue to be severely limited.

Also, all participants in the city planning process must learn to follow Voltaire’s advice and “Don’t let the perfect be the enemy of the good.” Achieving absolute perfection in city planning is not possible. There will never be absolute agreement over what the city should look like. To achieve results, at some point the planning must end and the building must begin. Furthermore, at some point, there are diminishing returns on increased planning efforts such that further planning becomes inefficient. In the 10 years since Hurricane Katrina, the citizens of New Orleans have become perhaps the most educated, best informed, and most active citizen planners in the history of the United States. Because of this, competing local interests have become very adept at obstructing changes that they oppose. Local interests are efficient at obstructing, but not at moving the process forward, because no group controls sufficient political clout to cancel out the others. Although this is frustrating for all parties involved, the ability to obstruct is ultimately the ability to make sure that one’s voice is heard. This is a necessary part of the democratic process. The CZO is an organic document with a built-in amendment and revision process, so problems in the current document can be repaired.

Conclusion and recommendations

The passage of the Comprehensive Zoning Ordinance represents the official conclusion of the 10-year, post-Katrina city planning process. It was a contested process, including a final 10-hour marathon City Council meeting with many controversial last-minute amendments. However, in the end, the CZO was passed unanimously by the entire City Council.23

If not for the disruption of Hurricane Katrina, New Orleans would probably still not have an updated Master Plan and CZO, since planning and zoning have never been high municipal priorities in the past. The recently passed version of the CZO primarily dealt with mitigating the age-old conflicts between preservation and commerce. However, for the progress to continue, the future amendments to the CZO must deal with the issue that brought the city here in the first place: resilience. Despite significant upgrades to the levees protecting the city, continued subsidence will degrade their effectiveness over time. If no action is taken, in 50 years a Katrina strength...
storm would cause catastrophic flooding. Home elevations can reduce some of the risk. New approaches to water management are needed to stem subsidence.

To this end, the following three recommendations are offered.

1. **Disaster Planning**: The Master Plan discusses the need for “regulatory approaches where needed to ensure resilience in new building.” The time has come for a more robust discussion of requiring truly “hurricane-proof” buildings (in terms of both elevation to mitigate floods and strength to mitigate wind), and using the zoning code to enforce the regulations.

2. **Density and Equity**: Future amendments to the CZO should take advantage of the higher elevation areas of the city by increasing density and facilitating more compact and efficient construction patterns of building higher rather than spreading out. While this normally could increase the price for working-class residents, inclusionary zoning requiring developers to include affordable housing could mitigate the effects of gentrification and allow all residents access to the safety of the higher elevations.

3. **Sustainability**: The Master Plan also discusses “comprehensive stormwater management systems that include natural drainage methods and potential use of Dutch-style canals as amenities” to allow residents to “live with water.” None of these steps are specifically implemented in the CZO. High-priority should be given to efforts to directly fight soil subsidence by absorbing or retaining as much stormwater runoff as possible through porous surfaces, retention ponds, rain gardens, and open drainage canals built directly into the natural landscape. In order for New Orleans to be on the cutting-edge of sustainability zoning, which is necessary for the city to be a leader in water management, the next round of amendments to the CZO will need to begin specifically implementing and enforcing designs to allow the city to live in harmony with the water environment.
Endnotes

1. The LRA was the agency created by the state legislature for the purpose of distributing infrastructure construction funding from the federal government.


5. Eggler, "New Orleans City Charter Amendment Would Give Master Plan Force of Law."


15. Eggler, "New Orleans City Charter Amendment Would Give Master Plan the Force of Law."


Acknowledgments from the Authors

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About The Data Center
The Data Center is the most trusted resource for data about greater New Orleans and Southeast Louisiana. Since 1997, The Data Center has been an objective partner in bringing reliable, thoroughly researched data to conversations about building a prosperous, inclusive, and sustainable region.

About The New Orleans Index at Ten Collection
The New Orleans Index at Ten collection includes contributions from The Data Center, the Brookings Institution, and more than a dozen local scholars. The aim of this collection is to advance discussion and action among residents and leaders in greater New Orleans and maximize opportunities provided by the 10-year anniversary of Katrina.

The New Orleans Index at Ten: Measuring Progress toward Prosperity analyzes more than 30 indicators to track the region’s progress on economic, inclusive, and sustainable growth. Essays contributed by leading local scholars and the Brookings Institution systematically document major post-Katrina reforms, and hold up new policy opportunities. Together these reports provide New Orleanians with facts to form a common understanding of our progress and possible future.

The New Orleans Index series, developed in collaboration with the Brookings Institution, and published since shortly after Katrina, has proven to be a widely used and cited publication. The Index’s value as a regularly updated, one-stop shop of metrics made it the go-to resource for national and local media, decisionmakers across all levels of government, and leaders in the private and nonprofit sectors.

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