



New Orleans City Planning Commission
1300 Perdido St.
New Orleans, LA 70112

Dear Commissioners,

The FMIA has been working in conjunction with fellow neighborhood associations regarding the issue of Outdoor Live Entertainment, and its compatibility with Historic Core neighborhoods. What became immediately obvious upon reading the Outdoor Live Entertainment Study, issued on December 1, 2020, was the Staff's concern about the City's lack of a sound ordinance. We were also concerned with the City's absolute inability to enforce the programs it currently has, with the STR Program being the most recent and obvious example. We joined with these other neighborhood organizations to address this issue in a joint letter you should find in the Staff Report.

The FMIA agreed that temporarily expanding outdoor dining and music venues during the COVID-19 epidemic, when health measures prohibited and/or limited indoor dining, made sense. However, now that the pandemic appears to be ending, we have grave concerns about moving forward with plans to make this permanent, as expressed in the Outdoor Live Entertainment Study issued on December 1, 2020. That plan advocated for 15 foot setbacks from neighboring property lines and up to 156 days of Live Outdoor Music per year, even if they abut Residential Properties. Additionally, we find that these plans are inconsistent with the Master Plan and Comprehensive Zoning Ordinance, as they relate to Residential neighborhoods.

Usually, decisions that come before the City Planning Commission discuss issues regarding buildings and the activities that happen inside the building. However, Outdoor Live Entertainment (like the parklet issue you discussed recently) is an activity that can most impact the Residential Quality of Life of homes not just adjacent to the venue, but possibly blocks away, as sound does not respect property lines. The Historic Core



traditionally consists of Residential properties in the middle of the block, and Commercial properties on the corners, meaning that Residential properties almost always abut Commercial properties. At a minimum, Residential properties are almost always less than a block away. The Master Plan recognizes the density of our neighborhoods and emphasizes preserving the historical character of these areas and increasing the livability for the residents themselves. The Master Plan discusses Commercial properties in our neighborhoods by stating the goal should be “small-scale neighborhood oriented commercial development” as well as “Retail and professional service establishments serving local neighborhood residents.” It is incompatible with these goals to have Outdoor Music Venues neighboring residential properties, especially at a time when Short Term Rentals, Hotels and the tourist industry are outnumbering residents in the Historic Core.

The Comprehensive Zoning Ordinance echoes these same priorities, putting the neighborhood and its citizens first. Over the last few years, much development has occurred in our neighborhood that is tourist centric (hotels, STR’s) and has caused our neighborhoods to lose population. So much so that the latest census numbers caused the District C boundaries to be expanded in order to make our population equal to the other districts. The CZO encourages “small scale commercial uses” within residential neighborhoods, as well as “prevent displacement of existing residents” in neighborhoods and areas with increasing market activity. Outdoor Music Venues would be incompatible with these guidelines from the CZO regarding the Historic Core.

From Frenchmen Street to St Claude, the Marigny has a long history of music venues, bars and restaurants, which contribute to its unique flavor. Allowing all of them to host Outdoor Live Music would drastically change the neighborhood and affect the Residential Character of a neighborhood that is struggling to hold on to residents. That is especially true due to the fact that there is no Sound Ordinance, as your study noted repeatedly, and that these plans would be enforced by Safety & Permits and Code Enforcement, who have shown an inability to enforce the programs and rules we currently have. We appreciate your careful consideration of this



issue, and ask that, because of the intermingling of Residential and Commercial properties in our neighborhood, Outdoor Live Entertainment not be allowed in the Marigny.

Sincerely,
Allen Johnson
President