

**BYLAWS  
LOUISVILLE METRO PLANNING COMMISSION**

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**ARTICLE VI  
Meetings**

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Section 7. Special Public Hearing Considerations During State of Emergency

- A. The following shall apply during periods in which in-person public hearings and meetings are prohibited or discouraged by a State of Emergency declared either by the Office of the Governor of Kentucky or Office of the Mayor of Louisville Metro.
- B. Evening Hearing Petitions.
  - 1. The Petition for Evening Public Hearing Downtown (which requires 200 signatures) or the Petition for Evening Public Hearing at Convenient Location (which requires 300 signatures) may still be submitted to Planning & Design Services (PDS) for consideration as permitted and outlined by applicable statute or ordinance.
  - 2. If PDS receives either of these petitions, a hearing date will be scheduled as specified in Table 7.1 in this section.
  - 3. Online petitions may be accepted so long as the petition includes an electronic signature, the signee's full name and address (including ZIP code), and otherwise meet the requirements for signatures on said petition.
  - 4. Submittal of a petition will not halt the review process. Agency reviews and review before the Land Development & Transportation Committee may take place subsequent to petition submittal.
  - 5. PDS staff will schedule a Land Development & Transportation Committee meeting to schedule the public hearing date. Staff will work with the petitioner and applicants to find a suitable location that can accommodate the required social distancing measures.
- C. Any rezoning case that proposes 100 or more housing units; or 100,000 or more square feet of development; or meets the threshold for a traffic impact study as outlined in *Guidelines for Traffic Impact Studies and Air Quality Analysis in Jefferson County, Kentucky* (Appendix 6E of the Land Development Code) shall be subject to the following:
  - 1. An evening public hearing, which interested parties may attend virtually or at a designated in-person location (as outlined in Table 7.1 below), will be scheduled if **EITHER** of the following conditions are satisfied: a.) More than fifty (50) percent of adjoining property owners who are required to be

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notified (per the notification requirements of the Land Development Code) submit opposition; **OR** b.) At least one hundred (100) residents within the Metro Council district and/or those Metro Council district abutting the districts in which the project is located submit opposition. If neither a. nor b. are met, then a public hearing shall be scheduled per the applicable procedures in Section 6.

- a. "Opposition" shall be any letter, email, petition, or other written or electronic form of communication submitted to Planning & Design Services as a statement of opposition to a proposed zoning map amendment or the scheduling of a daytime virtual public hearing for a proposal.
  - b. Opposition shall include the name, address and ZIP code of the person submitting the documentation.
  - c. Opposition shall be submitted at least fifteen (15) calendar days prior to the scheduled public hearing date.
2. PDS staff will schedule a Land Development & Transportation Committee meeting to schedule the public hearing date. Staff will work with the petitioner and applicants to find a suitable location that can accommodate the required social distancing measures.

D. Evening Hearing Guidelines

Table 7.1

Guideline Level	Threshold for Gatherings per Executive Order	Evening Hearing Guidelines
<b>Level 1</b>	Up to 100 people permitted at gatherings per Executive Order	Evening hearings (designated in-person location with livestream viewing/participation available) shall be scheduled for rezoning cases described in 7.B and 7.C above. At least one member of the Planning Commission shall be present at the in-person evening hearing location. All other members may attend virtually. Evening hearing will be livestreamed via software approved by PDS Staff in consultation with Metro IT. All speakers are asked to pre-register at least 24 hours in advance of the start time of a scheduled meeting to assure adequate in-person space and online capacity is available. Speakers who are pre-registered will have priority regarding the order in which they speak. Those who do

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		not pre-register will be allowed to speak at the discretion of the Chair and as time and space allow. Hearings shall be conducted in compliance with the applicable social distancing requirements outlined in the Kentucky Healthy at Work Guidance and Requirements for Venues and Public Spaces (available at <a href="https://govstatus.egov.com/ky-healthy-at-work">https://govstatus.egov.com/ky-healthy-at-work</a> ).
<b>Level 2</b>	Greater than 100 people permitted at gatherings per Executive Order	Evening hearings (designated in-person location with livestream viewing/participation available) shall be scheduled for rezoning cases described in 7.B and 7.C above. At least one member of the Planning Commission shall be present at the in-person evening hearing location. All Planning Commissioners may attend evening hearings at in-person meeting location*. Evening hearings will be livestreamed via software approved by PDS Staff in consultation with Metro IT. All speakers are asked to pre-register at least 24 hours in advance of the start time of a scheduled meeting to assure adequate in-person space and online capacity is available. Speakers who are pre-registered will have priority regarding the order in which they speak. Those who do not pre-register will be allowed to speak at the discretion of the Chair and as time and space allow. Hearings shall be conducted in compliance with the applicable social distancing requirements outlined in the Kentucky Healthy at Work Guidance and Requirements for Venues and Public Spaces (available at <a href="https://govstatus.egov.com/ky-healthy-at-work">https://govstatus.egov.com/ky-healthy-at-work</a> ).
<b>Level 3</b>	End of State of Emergency	Public hearings resume normal scheduling and operating procedures.

\* Planning Commissioner attendance shall be conditioned on being able to accommodate the technological requirements for conducting a proper virtual meeting involving multiple in-person attendees and the Kentucky Healthy at Work Guidance and Requirements for Venues and Public Spaces. Technological challenges that prohibit the proper livestreaming of the event and/or inability to meet the Kentucky Healthy at

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Work Guidance and Requirements for Venues and Public Spaces may result in only one planning commissioner attending meetings.

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