

Proposed Planning Commission By-laws Amendments
Neighborhood Meetings – **DRAFT AS OF 5/6/20**

3.05 Neighborhood Meetings

3.05.01 Neighborhood meetings for zoning map amendments and subdivision requests shall be held in accordance with the applicable section of the Land Development Code.

3.05.02 Neighborhood Meeting Scheduling Requirements

(1) Neighborhood meetings shall not be held on national holidays. It is recommended that religious and other significant holidays be avoided.

(2) Neighborhood meetings shall be held on weekdays (Friday evening is considered a weekend), starting no earlier than 6:00 p.m. and no later than 8:00 p.m.

(3) The date of the meeting must be a minimum of 14 days after the Neighborhood Meeting Notice is sent out. *(NOTE: This includes the electronic notice emailed by Planning & Design Services staff.)*

(4) Neighborhood meetings shall be held inside a building with enough space and seating capacity to accommodate those invited to the meeting.

(5) Neighborhood meetings shall be held in Jefferson County, within reasonable proximity to the subject site. *(NOTE: Neighborhood meetings for Conditional Use Permits are required to be within one (1) mile of the subject site unless approved by the case manager.)*

(6) A virtual neighborhood meeting may be required in addition to a regular neighborhood meeting as a means of providing an additional option for interested parties to participate. This meeting may be held concurrently with the regular neighborhood meeting or on a separate date and time. The applicant shall be required to meet the Security and Increased Feedback requirements for Virtual Neighborhood Meetings described below.

3.05.03 Neighborhood Meeting Content Requirements

(1) The applicant/meeting moderator shall maintain a sign-in sheet of the attendees. Anyone who signs the sign-in sheet who did not receive the neighborhood meeting notice shall be added to the

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official mailing label matrix for all future notices regarding the proposal.

(2) The applicant/meeting moderator shall provide an overview of the proposal.

(3) The applicant/meeting moderator shall have a thorough understanding of the proposal and be able to address any questions or concerns by those in attendance.

(4) The applicant shall distribute the *After the Neighborhood Meeting* flyer to all attendees.

3.05.04 If sufficient evidence (as determined by the Planning Director) is submitted identifying a neighborhood meeting standard outlined in 3.05.02 and/or 3.05.03 was not complied with, the following consequences shall occur:

(1) If discovered prior to formal application filing, the formal application shall not be accepted until a neighborhood meeting is held in conformance with the standards outlined in 3.05.02 and/or 3.05.03.

(2) If discovered after formal filing of the application, the public hearing shall be postponed or continued until the neighborhood meeting is held in conformance with the standards outlined in 3.05.02 and/or 3.05.03.

(3) If discovered at the public hearing, the Planning Commission shall continue the public hearing until the neighborhood meeting is held in conformance with the standards outlined in 3.05.02 and/or 3.05.03.

3.05.05 Virtual Neighborhood Meetings (**NEW SECTION**)

(1) **Definition.** A virtual neighborhood meeting is a neighborhood meeting conducted via electronic audio and video equipment by an applicant which residents may 'attend' using home computers, laptops, cell phones, or other devices. A virtual neighborhood meeting must meet all regular requirements of an in-person neighborhood meeting except for the requirement of a physical meeting location and as otherwise modified by this section. (*NOTE: A physical meeting location may be provided by the applicant in*

addition to the virtual neighborhood meeting if conditions permit in-person meetings.)

(2) Virtual neighborhood meetings may be conducted in lieu of regular neighborhood meetings, upon explicit permission of the Planning Commission during periods in which in-person neighborhood 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, during which applicants may conduct a virtual neighborhood meeting to satisfy the neighborhood meeting requirements of the Land Development Code. Each virtual neighborhood meeting must be pre-approved by the Planning Director. A written request to the Planning Director shall be provided by the applicant. The request shall detail methods of notification, proposed information and proposed virtual platform.

(3) **Security.** In order to protect would-be attendees of a virtual neighborhood meeting from malware and other electronic security risks, all virtual neighborhood meetings shall be hosted on platform approved by the Planning Director in consultation with Metro IT. Any platform in use by the Louisville Metro Government shall be considered acceptable.

(4) **Primary Enhanced Notice.** Methods of notices must be approved by the Planning Director. The Primary Enhanced Notice shall be required for virtual neighborhood meetings and sent to all required parties at least fourteen (14) days in advance of the scheduled meeting date. The Primary Enhanced Notice shall be approved by the Planning Director or their designee prior to being mailed and shall include, but not be limited to, the following:

- (a) A detailed summary of the proposal, including but not limited to the following depending on relevancy with the proposal:
- Present and proposed zoning/form districts, land uses, patterns and lot counts
 - Proposed building heights and setbacks
 - Proposed landscaping, screening and buffering
 - Sanitary sewer availability
 - Stormwater management plans
 - Road and access modifications

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(b) A color copy of the proposed development plan/subdivision plan with a minimum size of 8 1/2"x11".

(c) A LOJIC map showing the location of the proposal

(d) Contact information for the applicant and associated professionals (attorneys, engineers, etc.), including but not limited to designating a person as a primary point of contact, a phone number and email address, for any questions or comments. Notice shall also include a physical address to which written comments may be mailed and incorporated into the meeting record. A resident who has received the notice by mail can request an in-person meeting, if conditions permit, due to lack of access to the technology needed to attend the virtual meeting.

(e) Contact information, including but not limited to a phone number and email address, for Planning & Design Services case manager or supervisor.

(f) Information on how to obtain case information online from Louisville Metro Planning & Design's online customer service portal.

(g) The *After the Neighborhood Meeting* flier produced by Louisville Metro Planning & Design.

(5) **Secondary Notice.** A second notice shall be sent to all required parties at least seven (7) days prior to the scheduled meeting date. The Secondary Notice shall include the date, time, physical location (if applicable) and information on how to connect to the virtual neighborhood meeting, as well as contact information for the applicant and associated professionals as described in the Primary Notice requirements.

(6) **Increased feedback.** Applicants who choose to host virtual neighborhood meetings shall:

(a) Include in its summary a transcript of any typed communication located in the chat associated with the virtual neighborhood meeting and written comments received before, during and after the meeting.

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(b) Direct attendees of their virtual neighborhood meeting to the Louisville Metro Office of Planning and Design should attendees wish to submit comments directly to Planning Commission.

(c) Submit a digital recording of the virtual neighborhood meeting to the Louisville Metro Office of Planning and Design with application submittal.

(7) **Effect of virtual neighborhood meeting.** An applicant who hosts a virtual neighborhood meeting which satisfies all requirements of this section may proceed with filing its formal application.

(8) **Second neighborhood meeting.** The Planning Commission reserves the right to require any applicant who chooses to hold a virtual neighborhood meeting to hold a second, in-person neighborhood meeting before the Planning Commission makes its final decision on the application provided conditions permit such a meeting. Such a meeting may be required either by a vote of the body or upon request by PDS Staff. Reasons for such a requirement may include, but are not limited to:

(a) The conditions justifying the virtual neighborhood meeting may have also negatively impacted its attendance

(b) Testimony from those noticed of the virtual neighborhood meeting that they were unable to participate due to technological limitations

(c) Any other reason under which the Planning Commission may regularly require an applicant to conduct an additional neighborhood meeting

(9) **Effect of return to normalcy.** When the circumstances which justify the exclusive use of virtual neighborhood meetings lapse, whether by the Planning Commission revoking its explicit grant of approval for the use of virtual meetings for the given condition or otherwise (such as a state of emergency being concluded), any virtual neighborhood meetings which had been properly noticed to occur within 14 days of such change in circumstances may proceed to be held as virtual neighborhood meetings, subject to the other conditions of this section. However, an in-person neighborhood meeting may be required in addition to the virtual neighborhood meeting at the discretion of the Planning Commission.