

## **“OPEN UP”**

### **CITIZEN PARTICIPATION IN PLANNING AND ZONING**

#### **IN LOUISVILLE METRO**

##### **Recent Improvements:**

- I. Requirement for a neighborhood meeting before formal application
- II. Pre-application files open to the public
- III. Neighborhood Notification Program
- IV. List of pre-applications on Planning & Design website
- V. Agendas on Planning & Design website

##### **Proposed Changes**

- I. At Metro Council
  1. Opponents (neighbors and/or neighborhood groups) should have equal time with applicant to speak and respond at any Metro Council committee meeting. No new evidence shall be permitted.
  2. Opponents should have equal participation in any negotiations, meetings, correspondence, etc. while a case is before the Metro Council.
  3. The Council should encourage the Planning Commission to adopt the changes listed below.
- II. At Planning & Design Services (P&DS) and Planning Commission
  1. A procedure should be developed for all parties interested in a particular case to be registered to receive notices for the life of a case. Potential registrants include first and second-tier property owners, small cities without zoning authority, registered neighborhood associations, other interested neighbors, public interest groups, those who attend neighborhood meetings, committee meetings or public hearings, and any attorneys representing these persons or groups.
  2. Site plan submittal requirements of the applicant should be relaxed at the pre-application stage so that conceptual drawings (less expensive to prepare) could suffice.
  3. Neighbors (first and second-tier owners), small cities without zoning authority and registered neighborhood groups should get written notice of all new pre-applications **immediately** after filing.
  4. Neighborhood meetings with applicant should occur **immediately** after filing of a pre-application.
  5. Neighborhood meetings should include the case manager from Planning & Design Services.
  6. Registered opponents should receive notice of all meetings with applicants by staff (and be able to attend), copies of all correspondence with applicants, and copies of all reports from other government agencies.

7. Opponents should get **equal** amount of time at public hearings, including rebuttal.
8. Notice for any meetings besides public hearings should be at least two weeks.
9. Notice should be required for detailed development plans and **all** amendments to binding elements, and should go to **all** first and second-tier property owners, any affected small city without zoning powers, those who registered or spoke at meetings or public hearings, and registered neighborhood groups.
10. P&DS should be responsible for keeping an accurate list of all persons who should receive notices in cases.
11. Final agendas should be posted in office and on P&DS website one week before meetings of any committee or commission or board.
12. Registered opponents should have **equal** ability to request postponements for valid reasons.
13. Registered opponents should have the **equal** ease to request an extended time for presentations at a public hearing as the applicant, i.e. one signature instead of twenty-five.
14. Registered opponents should be able to get the time and/or location of a public hearing changed with far fewer signatures than 200 or 500. We suggest 20 and 50.
15. Registered opponents and/or neighbors should have **equal** opportunity to appeal committee decisions to the full Commission (including Landmarks).
16. Staff of P&DS should not be able to change **any** binding elements without notice to first and second-tier property owners, those who registered or spoke at meetings or public hearings and registered neighborhood groups.
17. The recent change to allow P&DS staff to approve increases in square footage of 25% should be rescinded.
18. Inspection of and copying of P&DS files should be available at **all** times the office is open.
19. P&DS web site should include basic file information for each case: application, plans, agency responses, staff reports, notices, final actions, etc.
20. In some controversial cases, alternative dispute resolution measures should be initiated by P&DS to assist in reaching conclusions acceptable to all.