

Project Neighborhood Participation Program for Land Use Actions

Citizens' Resource Guide



Revised: February 3, 2016

Prepared by the
New Orleans City Planning Commission
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What is the Project Neighborhood Participation Program?

The Project Neighborhood Participation Program, or Project NPP, creates a process to enhance opportunities for property owners, neighbors, and neighborhood organizations to participate in land use decisions that affect them. This guide provides how-to information for applicants who must undertake the Project NPP process as part of an application to the City Planning Commission.

What is a Land Use Action?

“Land use actions” are actions that can potentially impact how a piece of land is used, such as allowing a certain type of business to be located there or changing the site’s zoning. Listed below are land use actions that are subject to the Project NPP process.

Applications for each of these are submitted to the City Planning Commission. The Project NPP process is part of the “pre-application” phase, meaning that the Project NPP process has to be completed and a summary report submitted as part of the application. Once the application is submitted, the City Planning Commission staff evaluates the application and writes a staff recommendation. Each application will then be heard and voted on through a public process.

Which land use applications are subject to the “pre-application” Project NPP?

- Zoning Map Amendments
- Conditional Uses
- Planned Developments
- Variances (except for single and two-family dwellings)¹
- Future Land Use Map

Master Plan Amendments

What is the purpose of the Project NPP?

- Encourage early citizen participation in the development review process;
- Open a dialogue between the applicant and affected neighborhoods and individuals; and
- Improve communications between the development community, citizens and city government.

Who are the participants?

There are two types of participants in the NPP process:

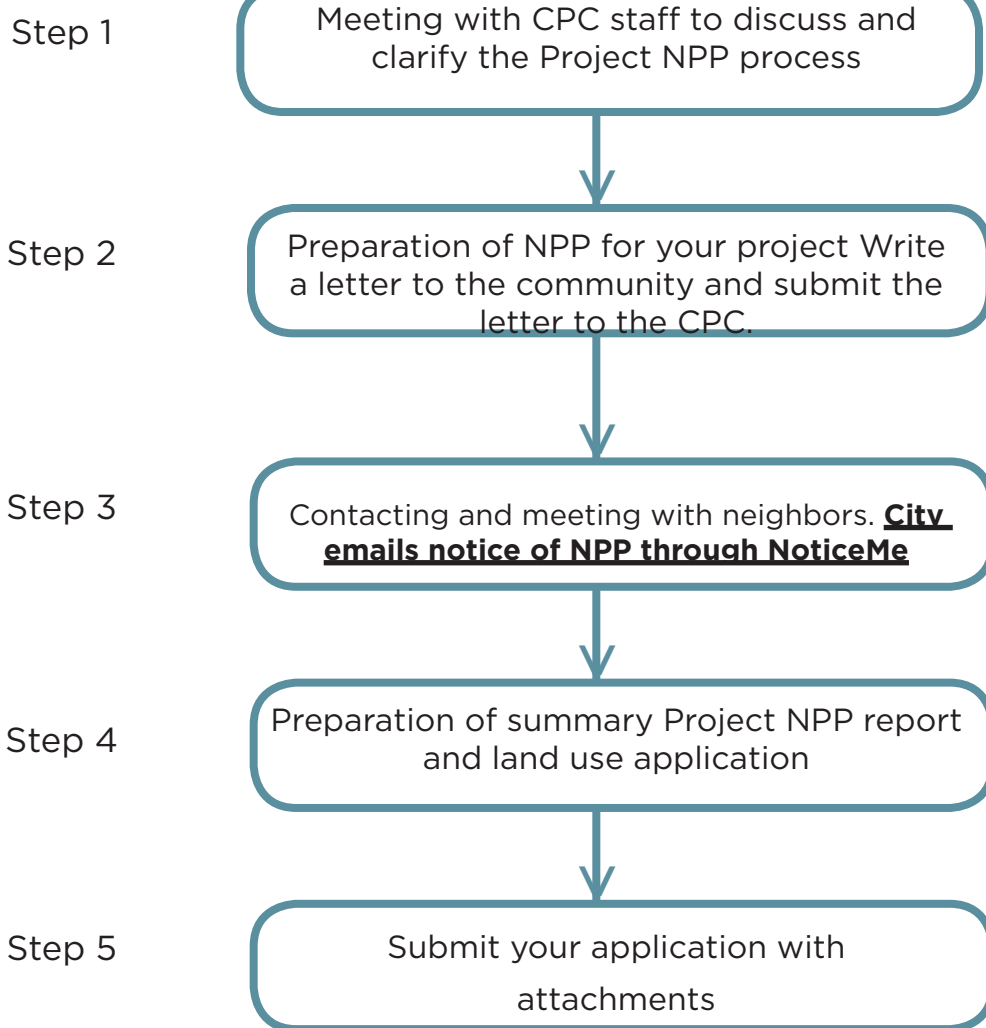
1. Applicants or duly authorized representatives who plan and carry out the Project NPP,
2. Persons who the applicant/agent should invite to attend the meeting(s) and comment on the project.

Invitees should include:

- Property owners, residents, and businesses within 300 or 600 feet of the subject property or project depending on the project’s size.
 - Sites or structures with up to 25,000 square feet will use the 300 feet radius.
 - Sites or structures 25,000 square feet or greater will use the 600 feet radius.
- Registered neighborhood and community groups whose boundaries include the project.
- The City Council member for the district where the

¹ It is recommended that you contact the neighborhood organizations for any variance request.

Steps for Land Use Applications including the Project NPP Process



site/project is located.

What is the process for inviting people to comment on the project?

Applicants should schedule a pre-application meeting with one of the City Planners (504-658-7033) to receive a list of the applicable neighborhood associations, the District City Councilmember, property owners and addresses within 300-600

feet of your application site. Invite these individuals or organization representatives in writing to a meeting to discuss your proposal. The invitation must be sent in writing at least **14** days prior to the meeting, but no more than 30 days in advance. The meeting must take place no more than **180** days prior to submission of the application. See the Project NPP checklist

to ensure all the proper information is included in the meeting invitation. The invitation may be hand delivered.

Where should the meeting take place?

If conditions are acceptable, the meeting can be held at the subject property, at the neighborhood association's scheduled meeting location or at a location convenient

to those within the 300-600 ft. radius.

What is discussed at the meeting?

The meeting(s) shall include a presentation and a discussion about the proposed project or request. Applicants should be sure to keep an accurate record of all comments, as well as a sign-in list of all meeting attendees. Additional meetings may be scheduled by the applicant, but do not have to be documented for compliance with this program. Agreement between the applicant and neighbors is not required.

The City's Neighborhood Engagement Office can:

- help develop a meaningful engagement strategy;
- assist with convening stakeholders; and
- assist with technical advice relative to the neighborhood meeting (framing, format, location, etc.)

Here is how to reach NEO:
City Hall, 1300 Perdido St.
8th fl, Suite 8E06
504-658-4980
neighborhoods@nola.gov

Do applicants have to post signage at the site of the proposed project?

Yes. Upon submitting a completed application, applicants are required to post signage on the petitioned site for at least 15 calendar days prior to

If you are invited to participate in an NPP process:

- The meeting is your first opportunity to become informed about the proposed project and/or changes to the property's land use regulations. If you have comments or questions, please either plan to attend the meeting or submit written comments to the contact person listed in the letter.
- Think about whether you've been provided enough information to decide if you want to support or oppose the project. Among typical questions:
 - o For a business, what will be the hours of operation?
 - o Will the project affect traffic in the area? Noise?
 - o Is it a business that will sell alcohol?
 - o How is the landscaping? Fencing? Drainage?
- After the applicant has finished the Project NPP process and has applied to the City Planning Commission, the City will send public notices about when the Commission's public hearing on the project. The notice will include information on how you can submit written comments or speak at the meeting.
- You can sign up with Notice Me to get email updates and notification of this and other projects in your community at www.noticeme.nola.gov/
- Once the application is submitted, information about the proposed project will be available on the One Stop App at www.onestopapp.nola.gov/search.aspx



the public meeting. City Planning staff will give the applicant a sign for each side of the property's street frontage. The sign(s) must be posted in a location visible to passing pedestrians and motorists.

Project NPP Checklist for Applicants (To Be Submitted with Application)

Step 1: Meet with the City Planning Commission staff. Provide the size of your site and the floor area of any existing or planned structures. The staff will verify the size(s) and will provide the contact list information. This information constitutes your Project Neighborhood Participation Program contact list.

	Site area: _____ sq. ft. (to be provided by applicant and verified by staff)
	Floor area of all structures (existing and/or planned): _____ sq. ft. (to be provided by applicant and verified by staff)
	Radius for notification is: ___ 300 feet (when site and floor area are less than 25,000 sq. ft.) ___ 600 feet (when either the site or floor area is greater than or equal to 25,000 sq. ft.)
	Outlined area map of notification radius (printout of appropriate buffer showing lot lines, contact names and addresses)
	Owner(s) of record of subject property and all properties within notification radius (from Assessor's office)
	Addresses of subject property and all properties within notification radius (separate list with property addresses may be addressed to "Occupant")
	All neighborhood associations with boundaries within which any portion of the subject property is located (<u>Notify the neighborhoods groups through email and U.S. mail.</u>)
	CPC staff and the City Council member for the district where the project is located.

Source: Comprehensive Zoning Ordinance Article 3, Section 3.3.B.

Step 2: Choose a meeting site and provide typed notice of NPP meeting. This invitation must be sent to the contact list and the CPC staff at least 14 days before the scheduled meeting and shall include:

	Type of land use application (zoning change, conditional use, planned development, variance(s), Master Plan Future Land Use Map amendment, etc.). <u>Include corresponding citations from the Comprehensive Zoning Ordinance when applicable.</u>
	<u>A brief description of the project including the total floor area, square footage, number of units and floors of the site.</u>
	Your contact information or contact information for a representative.
	Estimated start and end dates for any construction and estimated opening date for any non-residential component of the project.
	Indicate which techniques are being used to notify the contact list (USPS, certified mail, hand delivery, etc.).
	Date, time, and location of the neighborhood meeting (consult the Neighborhood Engagement Office at 658-4980 for help in finding a location and planning your neighborhood meeting).
	State how people and associations on the contact list will be informed of any changes to the proposal after the initial contact (people who sign in at the meeting will receive email updates, a project website will be kept up to date with changes, etc.).
	If the project is a conditional use, planned development, or variance, attach a project site plan.

Project NPP Checklist (To Be Submitted with Application)

Step 3: Hold a Neighborhood Meeting(s).

	<u>The meeting location should be convenient to the invited parties, ADA accessible, indoors, climate controlled and with adequate seating for attendees.</u>
	Meeting must be held <u>no less than 14 and no more than 30 days</u> after the date that notice of the meeting is provided to the contact list.
	<u>Provide a sign-in sheet which includes space for name, address and contact information.</u>
	<u>Provide comment cards that meeting attendees may use to express their questions and concerns.</u>
	<u>Provide required handouts from the City Planning Commission. These include information about the applicable zoning district(s), and instructions on how to register for and use the City's online notification tools.</u>
	<u>Follow the sample agenda provided by the City Planning Commission. Explain the proposal and allow time for questions and answers.</u>
	Keep a record of all comments and concerns that are discussed at the meeting.
	Application to the CPC/BZA must be submitted within <u>180</u> days of the meeting (or most recent meeting if additional meetings were held).

Source: Comprehensive Zoning Ordinance Article 4, Sections 4.2.D.2, 4.3.D.2, 4.4.E.2, and 4.6.D.2.

Step 4: Prepare a Summary Report that contains the following:

	The dates, times, and locations of all meetings held with interested parties.
	The total number of people that participated in the process (the number of people who attended all meetings, as well as any others who made contact via other means, as evident from sign-in sheets, emails, etc.).
	A list of any concerns, issues, and problems expressed by the participants. A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them.
	Include the following attachments: Contact List with the names of the individuals and entities that were noticed (at a minimum, this must include the contact list provided by the CPC staff), NPP Meeting Invitation, <u>NPP Comment Cards</u> and Meeting Sign In Sheet.
	If applicable, include the following attachments: copies of letters, emails, affidavits, newsletters, publications, and petitions received in support of or in opposition to the proposed project, as well as any other materials pertaining to the notification process.

Source: Comprehensive Zoning Ordinance Article 4, Sections 4.2.D.2, 4.3.D.2, 4.4.E.2, and 4.6.D.2.

Step 5: Submit your land use application. The NPP Summary Report and attachments must be included with the application (including everything in Step 4). Be sure to obtain all other required items for your application before submitting it to the City Planning Commission staff. This should include application forms, photographs, surveys, plans, elevations, fees, etc., depending on the type of application. Application information can be found on the City Planning Commission website at www.nola.gov/city-planning/applications/

Step 6: Place signage provided by CPC on site at least 15 days before the scheduled public hearing date. Take a photo of the posted signage and send to CPC.

NPP Community Meeting Invitation (Conditional Use)

February 10, 2016 (must be at least **14 Calendar** days before the meeting date)

Dear Neighbor:

My company, Convenience Pharmacy, L.L.C. , owns a building at 123 Commercial Avenue. We would like to open a new pharmacy at that location. It would operate as a convenience store and pharmacy with a drive-through window. Hours of operation would be 9 a.m. to 9 p.m. Monday through Saturday, and 10 a.m. to 6 p.m. Sunday.

The site is located in an **(insert corresponding zoning classification)** HU-MU Neighborhood Mixed-Use District , where a drive-through window is a Conditional Use, according to (insert corresponding CZO citation) Article 12, Section 12.2.A (Table 12-1) of the Comprehensive Zoning Ordinance which means we are required to apply for approval to put in a drive- through. The site is a two-story commercial structure with a combined square footage of **(insert corresponding square footage of site)** 25,000 square feet. **(Insert whether or not parking is provided and if any variances are being requested.)** On-street parking will be provided and no variance or waivers are required.

Because you are a nearby neighbor or otherwise interested in the neighborhood, I am inviting you to a meeting where you can learn more about what we propose, and present questions or concerns. Our application has to be heard by the City Planning Commission and the City Council and we are required to do this before we submit our application to the City Planning Commission.

The meeting will take place:
Tuesday, March 1st, 2016 at 7:30 pm
ABC church cafeteria, at 456 Residential Ave.

This letter is being delivered through U.S. Mail and through hand delivery. At the meeting, I'll provide a sign-in sheet to obtain email addresses, so that I can keep you updated if there are any changes to the plans. I've enclosed my site plans to give you a better idea of what we'd like to do. The pharmacy would occupy approximately half of the block on which it would be located, with the front pedestrian entrance on Residential Street and the drive- through accessed through a parking lot entered on Commercial Street. The site is now a former fast-food restaurant that we'd renovate. If we receive approval, we plan to start the construction work within a month of the approval, and estimate that the work should take about three months.

If you are unable to attend and would like to receive info from the meeting, please feel free to contact me. If you have any additional questions or comments, here's how to reach me. I hope to see you at the meeting on March 1st.

Sincerely,

John Smith
Abc123@emailaddress.com
504-123-4567

NPP Community Meeting Invitation (Zoning Change)

February 10, 2016 (must be at least **14 Calendar** days before the meeting date)

Dear Neighbor:

My company, Sweet Treats, owns a building at 123 Commercial Avenue. We'd like to open a new standard restaurant. It would be open for breakfast and lunch. Hours of operation would be 7 a.m. to 3 p.m. Monday through Saturday, and 10 a.m. to 2 p.m. Sunday.

The site is located in an **(insert corresponding zoning classification)** HU-RD2 Two-Family Residential District, where a restaurant is not allowed, according to **(insert corresponding CZO citation)** Article 11, Section 11.2 (Table 11-1) of the Comprehensive Zoning Ordinance. Therefore we are applying for a zoning change to a **(insert corresponding zoning classification)** HU-B1A Neighborhood Business District in order to operate a standard restaurant. The site is a single-story residential structure with a combined square footage of (insert corresponding square footage of site) 5,000 square feet. **(Insert whether or not parking is provided and if any variances are being requested.)** On-street parking will be provided and no variance or waivers are required.

Because you are a nearby neighbor or otherwise interested in the neighborhood, I am inviting you to a meeting where you can learn more about what we propose, and present questions or concerns. Our application has to be heard by the City Planning Commission and the City Council and we are required to do this before we submit our application to the City Planning Commission.

The meeting will take place:
Tuesday, March 1st, 2016 at 7:30 pm
ABC church cafeteria, at 456 Residential Ave.

This letter is being delivered through U.S. Mail and through hand delivery. At the meeting, I'll provide a sign-in sheet to obtain email addresses, so that I can keep you updated if there are any changes to the plans. I've enclosed my site plans to give you a better idea of what we'd like to do along with a list of the permitted uses within the HU-B1A. If you are unable to attend and would like to receive info from the meeting, please feel free to contact me. If you have any additional questions or comments, here's how to reach me. I hope to see you at the meeting on March 1st.

If you are unable to attend and would like to receive info from the meeting, please feel free to contact me. If you have any additional questions or comments, here's how to reach me. I hope to see you at the meeting on March 1st.

Sincerely,

John Smith
Abc123@emailaddress.com
504-123-4567

Project NPP Report

(Example - To Be Submitted with Application)

Date of Report: August 12, 2015

Project Name: Convenience Pharmacy

Overview: This report provides results of the implementation of the Project Neighborhood Participation Program for property located at 1234 Canal Boulevard on the southwest corner of Read and Venus Streets. The applicant intends to file an application to rezone the property from HU-RM2 to C-2 to permit a pharmacy with a drive-thru window. This report provides a summary of contacts with citizens, neighbors, public agencies, and interested parties. Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in lists, petitions, letters, summary sheets, and other materials are attached.

Contact:

John Smith
1234 Anyname Street
New Orleans, LA 70112
504-555-1212
Email: blackandgold@email.com

Neighborhood Meetings: The following dates and locations of all meetings where citizens were invited to discuss the applicant's proposal [comments, sign in lists, and other feedback are attached].

1. August 5, 2015 - Holly Green Neighborhood Center, 150 Willow Street, 7pm - 8pm, 45 people in attendance.
2. August 10, 2015 - Golden Care Senior Center, 444 St. Xavier Street, 5pm - 6pm, 10 people in attendance.

Correspondence and Telephone Calls:

1. July 23, 2015 - letters mailed to contact list, including homes, apartments neighborhood associations, churches, and schools.
2. July 24, 2015 - fliers distributed within 300 ft. radius of the proposed pharmacy site.
3. August 11, 2015 - discussed proposal with neighbor Mary Smith via phone call.

Results:

There were 100 persons/addresses invited to the community meeting. See summary below:

1. Summary of concerns, issues and problems:
 - Increased traffic in adjacent neighborhood.
 - Impact on school students within 200 feet of the site.
 - Increased noise.
 - Lighting glare on adjacent properties.
2. How concerns, issues and problems will be addressed:
 - Traffic will be routed to arterials to avoid impact on the neighborhood.
 - Parking lot lights will be low glare sodium type positioned away from adjacent properties.
 - The pharmacy drive thru window will close by 8pm, reducing noise impacts on the adjacent properties.
3. Concerns, issues, and problems not addressed and why:
 - The pharmacy should not have a negative impact on the nearby school.

NPP Meeting Comment Card

Date: _____

Name/Address of Project: _____

In Support In Opposition Information Only

Name: _____

Representing: _____

Address: _____

Remarks: _____

NPP Meeting Comment Card

Date: _____

Name/Address of Project: _____

In Support In Opposition Information Only

Name: _____

Representing: _____

Address: _____

Remarks: _____

NPP Meeting Comment Card

Date: _____

Name/Address of Project: _____

In Support In Opposition Information Only

Name: _____

Representing: _____

Address: _____

Remarks: _____

NPP Meeting Comment Card

Date: _____

Name/Address of Project: _____

In Support In Opposition Information Only

Name: _____

Representing: _____

Address: _____

Remarks: _____

HOLDING A NEIGHBORHOOD PARTICIPATION PROGRAM MEETING

Recommended Considerations for Choosing an NPP Meeting Site and Providing Notice of the Meeting

- Appropriate meeting venues include church halls, schools, libraries, community centers, hotels, businesses, and neighborhood association meeting locations. Inappropriate meeting venues include adult establishments and other places where some people might not feel comfortable.
- Choose a time that may maximize participation in the NPP meeting. Setting a very early or very late hour or a date that is a holiday does not show good faith with the community. Many neighborhoods prefer a meeting time in the early evening on a weekday. Using a regular neighborhood association meeting as your NPP may be an option as long as it is understood all required invitees and interested parties can attend.
- In your meeting invitation, encourage people who can't attend the meeting to provide you with their questions and comments in another way. This could be through email, phone, a project website or social media.
- If plans for your project are ready, include them with the meeting invitation.

Recommended Considerations for Conducting the NPP Meeting

- If you believe your application will require technical studies such as environmental or traffic impact analyses or if you plan to supplement your required submittals with such studies, consider making such professionals available at the NPP meeting.
- Record the meeting by video or audio tape. This will ease your ability to accurately write the NPP meeting summary, a required part of the land use application. At a minimum, designate a person to write notes as the meeting is being conducted, rather than relying on the memory of the speaker.

Recommended Actions After the NPP Meeting

- Follow up with NPP meeting attendees by emailing them a copy of your NPP Meeting Summary and application. Let meeting attendees know of any changes you have made since the NPP meeting.
- If the proposed project characteristics change significantly, consider holding an additional meeting.

CITY PLANNING COMMISSION
CITY OF NEW ORLEANS

MITCHELL J. LANDRIEU
MAYOR

ROBERT D. RIVERS
EXECUTIVE DIRECTOR



Neighborhood Participation Program Online Resource Guide

There are several ways for residents to stay informed about land use requests after Neighborhood Participation Program (NPP) meetings have been held. The online tools described below can provide notice as to when applications are received in our system, when public hearings are scheduled and the decisions of recommending and governing bodies.

➤ **NOTICEME:** www.noticeme.nola.gov/

NoticeMe is a personalized notification tool that emails citizens to inform them of opportunities for public input on proposed land-use changes. Along with the increased outreach required by the Neighborhood Participation Program, *NoticeMe* offers a way for all interested parties to stay informed of proposed land use changes in a selected area. Once you have registered, you will receive notices when a public hearing is scheduled and when a report is ready. You will also be notified of the **action** of the City Planning Commission or Board of Zoning Adjustments.

➤ **ONE STOP APP:** www.onestopapp.nola.gov/search.aspx

After NPP meetings, residents can view applicants' application materials including site plans, project proposals and NPP summaries by using the One Stop App. This app offers a *centralized location* for interested residents to:

- Find information about a permit, license, planning project, or violation in progress.
- Initiate an application for many types of permits and licenses without coming to City Hall.
- Pay with credit cards for permits and licenses online.
- Research what has been permitted, licensed, or cited at a particular location or during a user defined time frame.

➤ **PROPERTY VIEWER:** www.property.nola.gov

The Property Viewer provides zoning information for all properties within the City of New Orleans. The viewer includes all zoning districts, zoning district boundary lines, and the locations of site-specific zoning actions approved by ordinance which includes Conditional Uses, and Planned Development Districts. Links are provided that can take you to the applicable section of the Comprehensive Zoning Ordinance and assessor records.

➤ **CITY PLANNING COMMISSION WEBSITE** www.nola.gov/cpc

The City Planning Commission (CPC) website hosts a number of important documents and tools. CPC meeting agendas, videos, and staff reports can be viewed on the website as well as regulatory and planning documents such as the Comprehensive Zoning Ordinance and the Master Plan.

Lucky Lane Bowling Neighborhood Participation Meeting

SAMPLE AGENDA

Date: March 1, 2016

Location: The Bean Gallery Café

- I. Welcome
 - Introduction of speakers and their relationship to the project.
 - Provide a tour of the space (if at petitioned site).
 - Provide at minimum a site plan of the proposed project. If a Conditional Use, Planned Development or Variance request.
 - Provide use and area regulations chart handouts.

- II. Description of the Project
 - Describe your project proposal in detail.
 - State the specific citations from the Comprehensive Zoning Ordinance that pertain to your request.
 - Note the zoning district where the site is located and whether you are requesting a zoning change.
 - State the total square footage for the site, the floor area of existing and proposed structures, number of units and floors.
 - Clearly state any proposed waivers that may be requested as well.
 - State how your proposal will impact and benefit the immediate neighborhood.

- III. Public Comment
 - Allow a reasonable amount of time to receive public questions and concerns.
 - Consider having relevant designers or professionals on hand to answer questions specific to any site design, traffic impact analysis etc.
 - Receive the public comment without interrupting the speaker whether you agree or disagree.

- IV. Summary
 - State how the comments and suggestions will be addressed, or if you will need to get back to attendees with additional information.

Lucky Lane Bowling Neighborhood Participation Meeting

V. Next Steps

- Let attendees know your timeline for submitting your application (no more than 180 days from the date of the meeting.)
- Make sure you attendees know how to stay updated on your proposal request. Provide handouts for interested parties to sign up for NoticeMe updates and other online tools.

ARTICLE 12. HISTORIC URBAN NEIGHBORHOODS NON-RESIDENTIAL DISTRICTS

- 12.1 PURPOSE STATEMENTS
 - 12.2 USES
 - 12.3 SITE DESIGN STANDARDS
 - 12.4 GENERAL STANDARDS OF APPLICABILITY
-

12.1 PURPOSE STATEMENTS

A. Purpose of the HU-B1A Neighborhood Business District

The HU-B1A Neighborhood Business District is intended to address an individual parcel or small cluster of parcels in non-residential use that exist within residential areas that have historically served the neighborhood and are located on a corner, including established corner stores. These historic neighborhood business uses are consistent with the character of the surrounding neighborhood and are intended to serve the immediate area with minimal impact on the surrounding residential uses.

B. Purpose of the HU-B1 Neighborhood Business District

The HU-B1 Neighborhood Business District is intended for commercial areas that predominantly serve the needs of the nearby residential neighborhoods. The general character of this type of development should be sensitive to and compatible with its residential surroundings.

C. Purpose of the HU-MU Neighborhood Mixed-Use District

The HU-MU Neighborhood Mixed-Use District is intended for areas of mixed-use development that are close to residential neighborhoods. The district regulations are designed to encourage mixed-use areas that are compatible with adjacent or nearby land uses and pedestrian-oriented in character. In the HU-MU District, active retail and personal service uses along the ground floor with residential uses above are encouraged. A variety of residential dwellings are also allowed.

12.2 USES

A. Permitted and Conditional Uses

Only those uses of land listed under Table 12-1: Permitted and Conditional Uses as permitted uses or conditional uses are allowed within the Historic Urban Neighborhood Districts. A “P” indicates that a use is permitted within that zoning district. A “C” indicates that a use is a conditional use in that zoning district and would require a conditional use approval as required in Section 4.3 (Conditional Use). No letter (i.e., a blank space) or the absence of the use from the table indicates that use is not permitted within that zoning district.

B. Use Restrictions

1. Commercial Use Floor Area Limitation

In the Historic Urban Neighborhood Districts, the floor area of commercial uses is limited as follows:

- a. Commercial uses are permitted uses up to five thousand (5,000) square feet of total floor area, unless conditional use approval is required per Table 12-1.

- b. Conditional use approval required for any commercial use of five thousand (5,000) square feet of floor area or more.
- c. Any commercial use over ten thousand (10,000) square feet of total floor area is prohibited. This applies only to new construction as of the effective date of this Ordinance. Commercial uses that locate within an existing structure as of the effective date of this Ordinance that is over ten thousand (10,000) square feet of total floor area require conditional use approval.

TABLE 12-1: PERMITTED AND CONDITIONAL USES				
USE ¹	DISTRICTS			USE STANDARDS
	HU-B1A	HU-B1	HU-MU	
RESIDENTIAL USE				
Bed and Breakfast – Accessory	P	P	P	Section 20.3.I
Bed and Breakfast – Principal	P	P	P	Section 20.3.I
Day Care Home, Adult or Child – Small	P	P	P	Section 20.3.T
Day Care Home, Adult or Child – Large		P	P	Section 20.3.T
Dwelling, Above the Ground Floor	P	P	P	
Dwelling, Single-Family	P	P	P	
Dwelling, Two-Family	P	P	P	Section 20.3.Y
Dwelling, Townhouse			P	Section 20.3.X
Dwelling, Multi-Family			P	Section 20.3.W
Dwelling, Established Multi-Family	P	P		Section 20.3.W
Group Home, Small	P	P	P	Section 20.3.GG
Group Home, Large	P ²	P ²	P	Section 20.3.GG
Group Home, Congregate			C	Section 20.3.GG
Permanent Supportive Housing	P ²	P ²	P	Section 20.3.PP
Residential Care Facility	P	P	P	Section 20.3.YY
COMMERCIAL USE				
Amusement Facility, Indoor		P	P	Section 20.3.E
Animal Hospital		P	P	
Art Gallery	P	P	P	
Arts Studio	P	P	P	
Bar			C	Section 20.3.G
Catering Kitchen	P	P	P	
Day Care Center, Adult or Child – Small	P	P	P	Section 20.3.S
Day Care Center, Adult or Child – Large		P	P	Section 20.3.S
Day Care Center, Adult or Child - Commercial		P	P	Section 20.3.S
Drive-Through Facility ³			C	Section 20.3.V
Financial Institution	P	P	P	
Funeral Homes		C	C	
Gas Station		C	C	Section 20.3.EE
Health Club		P	P	
Hostel			C	
Hotel/Motel			C	
Live Entertainment – Secondary Use			C	Section 20.3.JJ
Medical/Dental Clinic	C	P	P	
Micro-Brewery			P	
Micro-Distillery			P	
Office	P	P	P	
Personal Service Establishment	P	P	P	
Pet Day Care Service	P	P	P	Section 20.3.QQ
Public Market		P	P	Section 20.3.TT
Recording Studio			P	
Reception Facility		C	C	Section 20.3.VV
Restaurant, Carry-Out	C	P	P	Section 20.3.ZZ
Restaurant, Fast Food		C	C	Section 20.3.ZZ
Restaurant, Specialty	P	P	P	Section 20.3.ZZ

TABLE 12-1: PERMITTED AND CONDITIONAL USES				
USE ¹	DISTRICTS			USE STANDARDS
	HU-B1A	HU-B1	HU-MU	
Restaurant, Standard	P	P	P	Section 20.3.ZZ
Retail Goods Establishment	P	P	P	
Retail Sales of Packaged Alcoholic Beverages		C ⁴	C	
INDUSTRIAL USE				
Brewery			P ⁷	
Food Processing			C	
Manufacturing, Artisan			P	
Mardi Gras Den			C	
Mini-Warehouse			C	
Warehouse			C	
INSTITUTIONAL USE				
Community Center	C	P	P	
Convent and Monastery		P	P	
Cultural Facility	C	C	C	Section 20.3.R
Educational Facility, Primary			C	Section 20.3.Z
Educational Facility, Secondary			C	Section 20.3.Z
Educational Facility, Vocational		P	P	Section 20.3.Z
Government Offices	P	P	P	
Place of Worship		P	P	
Public Works and Safety Facility			C	
Social Club or Lodge	P	P	P	Section 20.3.CCC
OPEN SPACE USE				
Agriculture – No Livestock	P	P	P	Section 20.3.C
Agriculture – With Livestock	C	C	C	Section 20.3.C
Parks and Playgrounds	P	P	P	
Stormwater Management (Principal Use)	C	C	C	Section 23.12
OTHER				
Parking Lot (Principal Use)		C	C	Section 20.3.OO
Parking Structure (Principal Use)		C	C	Section 20.3.OO
Public Transit Wait Station	C	C	C	Section 21.6.BB
Utilities		P ⁵	P ⁵	Section 20.3.GGG
Wireless Telecommunications Antenna & Facility	C,P ⁶	C,P ⁶	C,P ⁶	Section 20.3.JJJ
Wireless Telecommunications Tower & Facility	C	C	C	Section 20.3.JJJ

TABLE 12-1 FOOTNOTES

¹ The terms in this column (“Use”) are defined in Article 26.

² Permitted only above the ground floor.

³ Drive-Through Facilities in the HU-MU District are only allowed as conditional uses where they are proposed to be constructed in combination with a retail goods establishment in order to provide or dispense medical or pharmaceutical products.

⁴ Retail sales of alcoholic beverages must be within a business with at least 5,000 square feet of floor area.

⁵ Electrical Utility Substations and Transmission Lines shall be subject to design review as per Article 4, Section 4.5.B.5 and Table 4.2

⁶ Only wireless telecommunications antennas that comply with the stealth design standards of Section 20.3.JJJ are considered permitted uses.

⁷ Only breweries that produce fewer than 12,500 barrels per year are considered permitted uses.

12.3 SITE DESIGN STANDARDS

A. Bulk and Yard Regulations

1. General Regulations

Table 12-2: Bulk and Yard Regulations establishes bulk and yard regulations for the Historic Urban Neighborhood Districts. (Highlighted letters in Table 12-2 indicate where those bulk and yard regulations are illustrated on the accompanying site diagram.)

TABLE 12-2: BULK & YARD REGULATIONS				
BULK & YARD REGULATIONS	DISTRICTS			
	HU-B1A	HU-B1	HU-MU	
BULK REGULATIONS				
	MINIMUM LOT AREA	SF: 1,500sf/du 2F: 1,200sf/du MF: 1,000sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,200sf/du MF: 1,000sf/du Non-Residential: None	SF: 1,500sf/du 2F: 1,200sf/du MF: 1,000sf/du Townhouse: 2,000sf/du Dwelling Above Ground Floor: 800sf/du Non-Residential: None
	MAXIMUM TOTAL FLOOR AREA – COMMERCIAL USE¹	Permitted up to 5,000sf of total floor area Conditional use approval required for 5,000sf to 10,000sf of total floor area Uses with over 10,000sf of total floor area are prohibited	Permitted up to 5,000sf of total floor area Conditional use approval required for over 5,000sf of total floor area	Permitted up to 5,000sf of total floor area Conditional use approval required for over 5,000sf of total floor area
A	MINIMUM LOT WIDTH	SF & 2F: 25' Non-Residential: None	SF & 2F: 25' Non-Residential: None	SF, 2F & MF: 25' Townhouse: 18' per du Non-Residential: None
B	MAXIMUM BUILDING HEIGHT	SF & 2F: 35' Non-Residential: 40' & no more than 3 stories	SF & 2F: 35' Non-Residential: 40' & no more than 3 stories	SF & 2F: 35' MF, Townhouse & Non-Residential: 40' & no more than 3 stories
MINIMUM YARD REQUIREMENTS				
C	FRONT YARD	SF & 2F: See Section 11.3.A.2 Non-Residential/Mixed-Use: 0' build-to line	SF & 2F: See Section 11.3.A.2 Non-Residential/Mixed-Use: 0' build-to line, except where adjacent average is greater than 5', see Section 12.3.B.1.c	SF & 2F: See Section 11.3.A.2 Non-Residential/Mixed-Use: 0' build-to line, except where adjacent average is greater than 5', see Section 12.3.B.2
D	INTERIOR SIDE YARD	3'	SF & 2F: 3' Non-Residential/Mixed-Use: None, unless abutting a residential district then 3' ¹	SF & 2F: 3' Townhouse, MF & Non-Residential/Mixed-Use: None, unless abutting a residential district then 3' ¹
E	CORNER SIDE YARD	SF & 2F: See Section 11.3.A.3 Non-Residential/Mixed-Use: None, to a maximum of 3'	SF & 2F: See Section 11.3.A.3 Non-Residential/Mixed-Use: None, to a maximum of 5'	SF & 2F: 10% of lot width, but a minimum of 3' Townhouse, MF & Non-Residential/Mixed Use: None, to a maximum of 5'
F	REAR YARD	20% of lot depth or 15', whichever is less	SF & 2F: 20% of lot depth or 15', whichever is less Non-Residential/Mixed-Use: None, unless abutting a residential district then 15' ²	Residential: 20% of lot depth or 15', whichever is less Non-Residential/Mixed-Use: None, unless abutting a residential district then 15' ²

TABLE 12-2 FOOTNOTES

¹ Total floor area limits per commercial use.

² If a property abuts more than one zoning district, the more restrictive yard requirement applies.

Appendix C

Public Comment

Valerie A. McMillan

From: Paul Cramer
Sent: Thursday, October 08, 2015 9:00 AM
To: Kelly G. Butler; Valerie A. McMillan
Subject: FW: Early Notice Rule Promulgation

From: Marcello, David [<mailto:dmarcello@tulane.edu>]
Sent: Wednesday, October 07, 2015 8:48 PM
To: Paul Cramer
Cc: 'jerryspeir@gmail.com'
Subject: Early Notice Rule Promulgation

Thanks for the opportunity to meet yesterday, Paul. We hope to stay in touch and involved as the CPXC works toward an early November date for consideration of rules implementing the early notice procedure. Let me clarify a few items coming out of yesterday's meeting.

- (1) You had a copy of the draft ordinance prepared by one of our students, but I do not believe it was supplied to you through The Public Law Center. Student drafts are just that—drafts—until they are reviewed and (frequently) revised by TPLC staff. We sometimes encourage students to place more detail into a draft than we expect will survive the review process, because it's impossible to discuss meaningfully text that hasn't first been drafted. It's also a worthy learning experience for students to draft more than may ultimately be approved. You might find the draft useful as a discussion document, but if you want our most meaningful input on format and timing of the meetings, please reach out to us via email and don't simply be guided by the written document, which was not reflective of TPLC staff's review and revision.
- (2) We discussed whether Notice Me can be used to disseminate notice to all interested parties in advance of the developer's community meeting. No one was sure of the answer, but I think we all agreed it would be a desirable feature, if feasible. Will you please let us know more when you do about how this might be accomplished? Getting that type of electronic notification out early in the process would make an immense difference in delivering fully on the promise of "early notice" zoning.
- (3) We also discussed the value of making an applicant's report on the meeting available for public review and comment for five or more days before it is submitted to the CPC as part of an application that begins the running of the time for considering approval of a requested zoning matter. Please keep us posted on this aspect of the process.
- (4) Finally, the issue involving a Council Motion exception remained unresolved, though we discussed some alternative that might narrow the scope of that exception. I expressed the view (and I think heard agreement in response) that the challenge of designing an appropriate solution to this issue would be most easily accomplished after details of the basic notification process have been substantially worked out. Thus, we've put it on "hold" for the moment with some expectation of returning to a discussion of alternatives after the "early notice" zoning process itself has been more fully developed. We'll ask you to keep us in mind for that further discussion when the time is ripe.

Please get hold of us as the CPC's thinking develops and as a working text emerges. We appreciate your willingness to hear our views while we're still in the developmental stages, and we'll continue to be available and to contribute ideas whenever useful. Thanks,

David

David Marcello
Executive Director
The Public Law Center
6329 Freret Street, Suite 130
New Orleans, Louisiana 70118
Phone: (504) 862-8847

Valerie A. McMillan

From: Jessica Knox <dashanna@hotmail.com>
Sent: Monday, October 12, 2015 2:35 PM
To: Valerie A. McMillan; Alonzo Knox
Subject: RE: neighborhood participation project

Valerie,

I cannot meet because I work during the day. However, I do have input regarding NPP which are as follows:

1. Increase the notice time - developers should have letters postmarked or email time/date stamped at least 10 business days from the date of the meeting.
2. Standardize meetings by requiring that the NPP meeting take place at an indoor venue that is handicap accessible with restrooms, heat & air, and has at least 20 seats (we had someone request that we meet outside in an overgrown lot with no seating).
3. Require that all neighborhood groups register with the Neighborhood Engagement office, if they would like to receive NPP notice.
4. CPC cease from giving neighborhood group information as it gets confusing since neighborhoods register with the Neighborhood Engagement Office not CPC. CPC should send developers to the NE office.
5. Neighborhood Engagement Office should send notices to their neighborhood groups about scheduled NPP meetings indicating the District so that respective neighborhoods can proactively reach out to developers and attend.
6. Give developers a form that indicates their specific zoning or permit request, the article that pertains to this request, and the reason that they would need a NPP meeting (we are approached by many confused small developers).

Thanks so much for reaching out to HFTA. I hope that you will convey my thoughts on NPP.

Sincerely,

Jessica D. Knox

HFTA President

www.faubourgtreame.org

From: vamcmillan@nola.gov
To: dashanna@hotmail.com; alonzoknox@gmail.com
Subject: neighborhood participation project
Date: Mon, 12 Oct 2015 16:38:58 +0000

Valerie A. McMillan

From: Paul Cramer
Sent: Monday, November 16, 2015 4:01 PM
To: Valerie A. McMillan
Subject: FW: Neighborhood Participation Program Public Hearing - Tuesday, Dec. 8, 2015

fyi

From: Sherif Sakla M.D., J.D. [<mailto:ssakla@lawmedic.com>]
Sent: Monday, November 16, 2015 3:55 PM
To: Paul Cramer
Subject: RE: Neighborhood Participation Program Public Hearing - Tuesday, Dec. 8, 2015

I meant a minimal of 30% participation by the residents living, or properties' owners within the declared boundaries of a specific neighborhood association. The participation can be exemplified by annual affidavits or a minimal annual dues. Often times, self-appointed neighborhood "Czars" are speaking on behalf of a certain neighborhood, without having any reasonable constituency whatsoever.

From: Paul Cramer [<mailto:pcramer@nola.gov>]
Sent: Monday, November 16, 2015 3:26 PM
To: Sherif K. Sakla, M.D., J.D. <ssakla@lawmedic.com>
Subject: RE: Neighborhood Participation Program Public Hearing - Tuesday, Dec. 8, 2015

Would you mind expanding on that one-third participation comment? I'm not sure I understand.

From: Sherif K. Sakla, M.D., J.D. [<mailto:ssakla@lawmedic.com>]
Sent: Monday, November 16, 2015 2:45 PM
To: Paul Cramer
Subject: Re: Neighborhood Participation Program Public Hearing - Tuesday, Dec. 8, 2015

Paul,

The neighborhood organizations need to be registered with the City and to have a minimal participation of the neighbors such as one third participation to be legitimate.

Sherif

Sherif K. Sakla, M.D., J.D.
The Sakla Law Firm, APLC
Energy Centre, Suite 2905
1100 Poydras Street
New Orleans, LA 70163
Office: (504) 528-1800
Cell: (504) 669-0900
Fax: (504) 363-7720

On Nov 16, 2015, at 1:58 PM, Paul Cramer <pcramer@nola.gov> wrote:

PLEASE NOTE THAT THE CITY PLANNING COMMISSION'S RULES, POLICIES, PROCEDURES AND NEIGHBORHOOD RELATIONS COMMITTEE WILL HOLD A SPECIAL PUBLIC HEARING

5PM, TUESDAY, DEC. 8, 2015

CITY PLANNING COMMISSION RULES, POLICIES, PROCEDURES AND NEIGHBORHOOD RELATIONS COMMITTEE PUBLIC HEARING NOTICE

TUESDAY, DECEMBER 8, 2015

**PUBLIC HEARING: 5PM CITY COUNCIL CHAMBERS
(CITY HALL – ROOM 1E07)**

THE CITY PLANNING COMMISSION'S RULES, POLICIES, PROCEDURES AND NEIGHBORHOOD RELATIONS COMMITTEE WILL HOLD A SPECIAL PUBLIC HEARING ON TUESDAY, DECEMBER 8, 2015 IN THE CITY COUNCIL CHAMBERS (CITY HALL ROOM 1E07) ON THE NEIGHBORHOOD PARTICIPATION PROGRAM (NPP). THE PUBLIC HEARING WILL TAKE PLACE AFTER THE REGULAR MEETING OF THE CITY PLANNING COMMISSION, BUT NO EARLIER THAN 5PM.

NEIGHBORHOOD PARTICIPATION PROGRAM (NPP) STUDY – To consider modifications to the NPP to further enhance early notification and the dissemination of information related to development projects.

INTERESTED PARTIES ARE ENCOURAGED TO ATTEND AND RELEVANT COMMENTS CONCERNING THE NEIGHBORHOOD PARTICIPATION PROGRAM ARE ENCOURAGED. THE CPC HAS ESTABLISHED PUBLIC HEARING RULES WITHIN ITS ADMINISTRATIVE RULES, POLICIES, & PROCEDURES, WHICH ARE AVAILABLE ON THE CPC WEBSITE: WWW.NOLA.GOV/CPC. YOU MAY ALSO SUBMIT WRITTEN COMMENTS TO THE EXECUTIVE DIRECTOR BY MAIL (1300 PERDIDO STREET, 7TH FLOOR, NEW ORLEANS, LA 70112) OR EMAIL CPCINFO@NOLA.GOV. ALL WRITTEN COMMENTS MUST BE RECEIVED BY CLOSE OF BUSINESS ON 5PM, MONDAY JANUARY 4, 2016.

Robert Rivers, Executive Director

Robert D. Rivers

From: Paul Cramer
Sent: Monday, June 09, 2014 10:10 AM
To: Robert D. Rivers
Subject: FW: Early Notice Zoning Procedure

From David Marcello

From: Marcello, David [<mailto:dmarcello@tulane.edu>]
Sent: Friday, June 06, 2014 8:26 PM
To: Paul Cramer
Subject: FW: Early Notice Zoning Procedure

I appear to have missed the boat on Bob Rivers' email address, Paul. Took a stab at it, but "rrivers" bounced back as undeliverable. Please forward the email to him, and thanks.

From: Marcello, David
Sent: Friday, June 06, 2014 8:24 PM
To: 'Paul Cramer'; 'rrivers@nola.com'
Cc: 'Jerry Speir'
Subject: Early Notice Zoning Procedure

Thanks for affording us that productive meeting opportunity on Wednesday afternoon. We covered a lot of useful ground, so I thought it might be helpful to summarize what we discussed while it was still fresh in everyone's mind.

Bob described the current "early notice" ordinance as "bare-bones" in terms of the authority it gives to the City Planning Commission and staff. I think there's considerable authority there, either explicit or implied, and I will provide more particulars on that below. But I am also very supportive of adding language to the ordinance that will clearly empower the CPC and its staff to "flesh out" implementation of the early notice procedure. I will use the next round of Z-TAC review to advance that objective. (If it proves possible to schedule the next Z-TAC meeting during June 23-26, I would be able to attend; or if the meeting pushes back into the next month, I would be okay during July 8-16.)

One potential area of improvement might involve adding criteria in the ordinance by which the CPC can evaluate the adequacy, accuracy, and completeness of applicants' reports on the community meeting required by the early notice ordinance.

We all seemed to be in agreement that public comment on the applicant's meeting report would be entirely feasible after the report has been posted on the web, which happens when the application is docketed with the CPC. Public comment on the meeting report is in everyone's best interests, since any inadequacies are better brought to light sooner than later. The CPC can update its website to better inform the public of how to submit comments on the meeting report, and appears willing to do so.

We also seem to agree that public comment on the staff report would be desirable during the week between its posting on the website and the Commission's consideration of it at the CPC meeting. Here again, the CPC may be able to provide assistance for the public in submitting comments through its website.

Here are several items that should be doable consistently with the current ordinance:

- (1) The Notice Me system of electronic notification is about ready to launch. It will enable interested members of the community to identify themselves as desiring notice of actions within their geographic areas of interest. Those interests can easily be satisfied by an automatic dissemination of electronic notice.
- (2) The CPC can produce information guides (both hard copy and on its website) that will help community members understand and effectively use the early notice procedures.
- (3) The CPC could (and I believe should) define via a regulatory promulgation the desirable format and procedures by which applicants should conduct their public meetings. Both applicants and members of the public would benefit from more guidance in this regard.

Finally, I am going to place on our topics list for the fall semester class in Legislative and Administrative Advocacy a rulemaking project to “flesh out” implementation of the early notice process in rags adopted by the CPC. We would like to direct the student working on this project to one or both of you for guidance. We would also welcome your presence at the “mock hearing” in November.

Thanks again for your generous commitment of time on Wednesday. Please keep in mind our deep and abiding interest in this important new zoning procedure. We want to do whatever we can to make it an effective mechanism for citizen participation in land-use and planning decisions, so please do keep us in the loop. Best Regards,

David Marcello
Executive Director
The Public Law Center
6329 Freret Street, Suite 130
New Orleans, Louisiana 70118
Phone: (504) 862-8847

Robert D. Rivers

From: Paul Cramer
Sent: Friday, April 11, 2014 3:20 PM
To: Robert D. Rivers
Subject: FW: Early Notice Zoning Procedure

As requested by Mr. Marcello, I am forwarding this information to you.

From: Marcello, David [mailto:dmarcello@tulane.edu]
Sent: Friday, April 11, 2014 2:28 PM
To: Paul Cramer
Cc: Jerry Speir
Subject: Early Notice Zoning Procedure

Jerry Speir and I enjoyed meeting with you on Wednesday, Paul, to discuss the new "early notice" zoning procedures. We've both got a deep and enduring interest in how these new procedures are interpreted and applied during their first months or years, because those implementation decisions will significantly impact the new procedure's effectiveness as a public participation tool.

We appreciated your consideration of our views at Wednesday's meeting. We would like to return for a visit with you and Bob Rivers when he's feeling better and after you've both had a chance to consider our further views as expressed in this email. Please forward this email to him.

Terminology: Ordinance No. 25,450 M.C.S. (approved August 29, 2013) creates new "Notice Provisions" at 16.9.2 in the CZO, referring to "Pre-Application Meeting and Project Neighborhood Participation Program" in describing the new public participation requirements. Let's establish a shared understanding at the outset about word choices (shown in *italics* immediately below) as they are used in this letter:

1. We will consistently use the word "*meeting*" to distinguish between (i) the pre-application meeting held by an applicant with members of the public and (ii) the public "hearing" held by the City Planning Commission to approve or disapprove an application.
2. We will maintain throughout this letter a distinction between (i) the Project Neighborhood Participation Program (or "Project NPP") as described in the ordinance and (ii) a separate initiative described outside of the ordinance as the Neighborhood Participation Plan (or "NPP"). The Project NPP is a new zoning **procedure** that applies to each specific zoning application; it embodies what we've described in earlier correspondence as "early notice." The NPP is an **organizational structure** that's been under discussion for almost ten years but has not yet been implemented. To avoid confusion, we will consistently use the term "*early notice*" in this letter in referring to the Project NPP.

Purposes: Early notice zoning procedures serve two equally important purposes—(i) informing the public of zoning applications to prevent "zoning by surprise" and (ii) promoting "collaborative zoning" by establishing an early, meaningful dialogue between applicants and community stakeholders. CPC staff will play an important role in accomplishing these dual objectives.

Notice: New technology at City Hall offers an opportunity to go beyond the formal notice requirements imposed by ordinance. The "Notice Me" system will enable easy, low-cost electronic dissemination of notice to interested community stakeholders. This wider capacity for notice is a good thing. The CPC should require

that applicants send an email notifying CPC staff about the date, time, and place of their proposed pre-application meeting with members of the public. Staff should then post that information on the CPC website and disseminate it through the "Notice Me" system.

Informed Dialogue: Staff can also enhance meaningful dialogue between applicants and community stakeholders by retaining a copy of the applicant's materials presented to CPC staff during the pre-application briefing session. The materials would serve as a public record informing community members about the proposed project and would also establish a public "benchmark" against which to measure subsequent revisions to the project as a consequence of the applicant's pre-application meetings with members of the public.

Pre-Application Meeting: Neither applicants nor community stakeholders should be left to their own devices in structuring and conducting appropriate pre-application meetings. The City Planning Commission owes everyone clear guidance about what format and procedures are required in order to promote a meaningful dialogue between applicants and stakeholders. The CPC should promulgate regulations to establish these guiding principles, and we are prepared to assist CPC staff in drafting this proposed "road map."

The following principles might guide the CPC in defining an appropriate "format" or "structure" for pre-application meetings and the "procedures" to be followed in conducting meetings:

- (A) The meeting should be held in a room of sufficient size to accommodate all interested participants, where everyone can hear and comment on the dialogue between community members and the applicant.
- (B) Any participant in the meeting should be entitled to make a video or audio recording of the proceedings, as long as the recording is not disruptive.
- (C) The applicant should make available a sign-in sheet where participants can list their names and contact information.
- (D) An applicant should begin by explaining the format of the meeting and describing the proposed project or action, using written materials, poster boards, PowerPoint slides, or other information to enhance community members' knowledge and understanding.
- (E) Participants should each be afforded the opportunity through an orderly procedure to speak and ask questions of the applicant.
- (F) Applicants should be prepared to respond during the meeting to questions asked and concerns expressed by the participants.
- (G) An applicant might summarize during the course of a meeting the concerns or issues expressed by participants and might consider with participants a range of acceptable responses to their concerns.
- (H) Applicants should take notes of comments made by participants and the applicant's responses, if any, so this information can be preserved and presented in the Pre-Application Meeting Report filed later with the CPC application.

The Pre-Application Meeting Report should include a copy of the sign-in sheet with names and contact information of participants and should also provide the following:

- (I) Summarize issues or concerns raised by participants during the meeting, and identify stakeholders who expressed those concerns (e.g., neighborhood associations, individual area residents, commercial enterprises, professional experts, preservationists, public sector personnel, environmentalists, or others).
- (J) Describe the applicant's responses, if any, to issues or concerns expressed.
- (K) Describe any subsequent communications between the applicant and stakeholders, including any evidence of agreement achieved as a consequence of follow-up communications.

(L) Identify items that might benefit from CPC-facilitated discussions between the applicant and community stakeholders.

(M) Review any changes made in the application as a result of pre-application meetings with members of the public.

CPC Review: Effective implementation of the early notice procedure requires a meaningful review of the Pre-Application Meeting Report by CPC staff. CPC regulations should afford both staff and the public five days after an applicant delivers its application and report in order to accomplish the following:

(N) Post the report online and disseminate it through the "Notice Me" system for public review and comment within a specific deadline.

(O) Consider any public comments received within the five-day deadline in evaluating the adequacy of the applicant's report.

CPC staff should evaluate each Pre-Application Meeting Report by asking and answering the following questions:

(P) Is the applicant's summary of concerns or issues *complete*?

(Q) Is the applicant's summary of concerns or issues *accurate*?

(R) Has the applicant made a *good-faith effort to respond* to the concerns or issues expressed, either during the meeting or in subsequent follow-up communications?

(S) Has the dialogue between applicants and stakeholders been conducted in *compliance with planning principles* found in the CZO and the Master Plan?

(T) Are there any issues or concerns that CPC staff might help to resolve through a *facilitated discussion* between applicants and stakeholders?

After considering public comments and conducting its evaluation, CPC staff might pursue any of three procedures: (i) approve the Pre-Application Meeting Report and file the application; (ii) disapprove the Pre-Application Meeting Report as inadequate and require a new pre-application public meeting and report; or (iii) offer the applicant and stakeholders an opportunity for further discussions facilitated by CPC staff.

Thanks to you and Bob, Paul, for considering these additional views. We would welcome any questions, comments, or other observations you care to send by reply email, and we do hope to schedule a follow-up visit with you and Bob in the not-too-distant future. I'll call or email you next week to explore options for a follow-up meeting. Regards,

David Marcello

Executive Director

The Public Law Center

6329 Freret Street, Suite 130

New Orleans, Louisiana 70118

Phone: (504) 862-8847

**ORDINANCE
(AS AMENDED)
CITY OF NEW ORLEANS**

CITY HALL: _____, 20____
CALENDAR NO. _____

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER _____

AN ORDINANCE to amend and reordain Ordinance No. 4264 M.C.S., as amended by Ordinance No.____, The Comprehensive Zoning Ordinance of the City of New Orleans, to amend Articles 3.3 “NOTICE,” 4.2 “ZONING TEXT AND MAP AMENDMENTS,” 4.3 “CONDITIONAL USES,” 4.4 “PLANNED DEVELOPMENTS,” and 4.6 “VARIANCES” to include improvements to the Project Neighborhood Participation Program and to make other modifications to the text as needed for consistency and clarity, and otherwise to provide with respect thereto.

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**

2 that Article 3.3 of Ordinance No. 4264, as amended by Ordinance No. __,____ M.C.S., the
3 Comprehensive Zoning Ordinance of the City of New Orleans, be and is hereby amended and reordained
4 to read as follows:

5 **ARTICLE 3.3 NOTICE**

6 * * *

7 **B. Mailed Notice**

8 * * *

9 2. Mailed notice for public hearings held by the City Planning Commission shall be sent by regular
10 mail at least fifteen (15) days before the public hearing to the following individuals and entities.

11 Mailed notice for public hearings held by the Board of Zoning Adjustments shall be sent by
12 regular mail at least five (5) days before the public hearing to the following individuals and
13 entities.

14 * * *

- 15 c. The occupants of all properties indicated in items ~~ia~~ and ~~ib~~ above, wherever the mailing
16 address of the property owner as indicated in the records of the Orleans Parish Assessor is
17 different from the address of the property.
- 18 d. Any neighborhood association with boundaries within ~~which any portion of the subject~~
19 ~~property is located.~~ three hundred (300) feet of the property lines of the subject property.
20 However, for public hearings involving a site of twenty-five thousand (25,000) square
21 feet or more in area or a development of twenty-five thousand (25,000) square feet or
22 more in floor area, such notice shall be expanded to any neighborhood association with
23 boundaries within six hundred (600) feet of the property lines of the subject property.
24 For the purposes of this section, the boundaries of a neighborhood association shall be as
25 provided on its registration form in the office of the City Planning Commission.

26 * * *

27 **SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**

28 that Article 4.2 of Ordinance No. 4264, as amended by Ordinance No. __,____ M.C.S., the
29 Comprehensive Zoning Ordinance of the City of New Orleans, be and is hereby amended and reordained
30 to read as follows:

31 **ARTICLE 4.2 ZONING TEXT AND MAP AMENDMENTS**

32 * * *

33 **D. Procedure**

34 * * *

35 **2. Pre-Application Meeting and Project Neighborhood Participation Program**

36 All applications for zoning and map amendments shall include a Project Neighborhood
37 Participation Program (Project NPP). A Project NPP is not required for any application for a text
38 amendment ~~or for any zoning amendment~~ initiated by City Council.

- 39 a. Applicants shall first meet with the staff of the City Planning Commission to become familiar
40 with the procedure and approval standards for zoning amendments and to obtain guidance on
41 the requirements of the Project NPP.
- 42 b. The Project NPP shall include the following information:
- 43 i. A brief description of the proposal.
- 44 ii. An outlined area map and a contact list for notifying the individuals and entities
45 identified in Section 3.3.
- 46 iii. A general description of how parties on the contact list will receive written information
47 on the project, including a statement as to which public notification techniques will be
48 used for the project.
- 49 iv. A general description of how parties on the contact list will be informed of any changes
50 or amendments to the proposed project after the applicant's initial contact.
- 51 v. A statement as to how those impacted by the proposal will be provided an opportunity to
52 discuss the request if issues or questions should continue or suddenly arise.
- 53 vi. A proposed meeting date, time, and location that will offer interested parties an
54 opportunity to discuss the proposed application that satisfies the following criteria:
- 55 a) The meeting should take place in a physical location at the proposal site or at a
56 meeting of a neighborhood association with boundaries within which any
57 portion of the subject property is located so long as the physical location satisfies
58 items c, d, and e below.
- 59 b) If the conditions at the proposal site are not conducive to a meeting, and if a
60 meeting of a neighborhood association with boundaries within which any
61 portion of the subject property is located will not occur within the timeframe
62 mandated by Sections 4.2 (D)(2)(b)(vi)(f) and 4.2 (D)(2)(g)(v), the Project NPP
63 meeting shall take place at a physical location that is within one-half mile (2,640
64 feet) of the proposal site, or in any other physical location or via other means

65 that may be agreed upon by the applicant and the interested parties. Approval
66 of a Project NPP suggesting alternative means of meeting other than a physical
67 location requires a showing of a good faith effort to contact all interested parties
68 as described in Section 3.3, and their agreement to the alternative means of
69 meeting.

70 c) The location must be objectively safe for public occupancy.

71 d) The location must accommodate the ingress and egress of an unaided
72 handicapped person.

73 e) The physical location must be able to maintain an ambient air temperature
74 between sixty-five (65) and eighty (80) degrees Fahrenheit during the meeting.

75 f) A Project NPP meeting not taking place at a neighborhood association meeting
76 and not using an alternative means of meeting may only occur on a weekday or
77 Saturday. The meeting shall commence no earlier than five-thirty (5:30) p.m.
78 and no later than seven o'clock (7:00) p.m. if on a weekday, or if on a Saturday,
79 shall commence no earlier than ten o'clock (10:00) a.m. and no later than four
80 o'clock (4:00) p.m.

81 c. The Project NPP meeting shall be conducted as follows:

82 i. A sign-in sheet shall be displayed in plain view sufficient to include the name, e-mail
83 address, postal address, and phone number of all persons attending the meeting.

84 ii. At least twenty (20) printed copies of the following shall be available for review at
85 the meeting:

86 a) The CPC staff-approved Project NPP as described in Section 4.2 (D)(2)(b).

87 b) An agenda that includes a description of the proposed changes.

88 c) Instructions on how an interested party may submit written comments directly
89 to the City Planning Commission.

- 90 d) Any plans or drawings that are proposed pending approval of a zoning map
91 change.
- 92 iii. A Project NPP meeting not taking place at a neighborhood association meeting shall
93 last at least forty-five (45) minutes after the announced start time, or until all
94 present interested parties have agreed their concerns have been fully presented.
- 95 iv. The applicant's presentation without taking questions from attendees cannot exceed
96 thirty (30) minutes.
- 97 v. The meeting shall be recorded by the applicant via video or audio recording device,
98 or via transcriptionist so that all public comments are audibly discernible or
99 typewritten verbatim. Meeting participants shall be allowed to conduct their own
100 audio or video recording of the meeting, but this shall not relieve the applicant of the
101 obligation to record the meeting.
- 102 d. The applicant shall provide the Project NPP to the City Planning Commission and notice of
- 103 ~~an opportunity for interested parties to attend a meeting to discuss the proposed application~~
- 104 ~~not less than five (5) nor more than thirty (30) days after the date on which the applicant~~
- 105 ~~provides notification to the parties on the contact list. For the purpose of this section,~~
- 106 ~~meetings may be held in a physical location or via other means that may be agreed upon by~~
- 107 ~~the applicant and the interested parties. The notice provided in accordance with this section~~
- 108 ~~shall include a brief description of the request and shall indicate the existing zoning~~
- 109 ~~classification of the subject property and the zoning classification the applicant intends to~~
- 110 ~~request. City Planning Commission staff will review the sufficiency of the applicant's~~
- 111 ~~Project NPP. Prior approval of a Project NPP by City Planning Commission staff is~~
- 112 ~~required before an application for a zoning amendment will be accepted.~~
- 113 e. Upon approval of an applicant's Project NPP, City Planning Commission staff shall post
- 114 the Project NPP on a publicly viewable website and shall activate the Early Notification
- 115 Tool for Land Use Changes in the City of New Orleans (otherwise known as "Notice

116 Me”). Notice Me will offer notice of a proposed change to those who have registered
117 their interest in being informed of such a change on the Notice Me website. Notice Me
118 will also offer the recipient information on how to review the Project NPP and any
119 supporting documents.

120 **f.** The applicant shall provide notice to interested parties of an opportunity to attend the
121 meeting described in Sections 4.2 (D)(2)(b)(vi) and 4.2 (D)(2)(c) not less than ten (10)
122 nor more than thirty (30) days after the date on which the applicant provides
123 notification to the parties on the contact list. The notice provided in accordance with
124 this section shall include a brief description of the request, indicate the existing zoning
125 classification of the subject property, indicate the zoning classification the applicant
126 intends to request, and shall give instructions on how the proposal documents may be
127 accessed on a publicly viewable website.

128 **g.** The applicant shall submit a Project NPP report with the application and send a paper or
129 electronic copy of the report to all those who attended the Project NPP meeting or
130 submitted written comments to the applicant prior to the application being filed. The
131 report shall provide the following information:

132 i. The names of the individuals and entities that were notified and the total number of
133 ~~number~~ of people that participated in the process. A person that participates in the
134 process shall be defined as someone who attends the Project NPP meeting or submits
135 verbal or written comments to the applicant in reference to the proposed project.

136 ii. A list of the concerns, issues, and problems expressed by the participants.

137 iii. A statement as to how each concern, issue, and problem is addressed and how the
138 applicant intends to continue to address them. If the concern, issue, or problem is not
139 being addressed, the applicant shall state the reasons.

- 140 iv. Copies of letters, e-mails, affidavits, meeting invitations, newsletters, publications, sign-
141 in sheets, and petitions received in ~~support of or in opposition~~ regards to the proposed
142 project, and any other materials pertaining to the notification process.
- 143 v. The date, time, and location of all meetings held with interested parties or a statement
144 indicating the reasons if no meeting was held. No information pertaining to any meeting
145 held more than ninety (90) days prior to the submittal of the application shall be accepted
146 as part of the Project NPP report, except where subsequent meetings with interested
147 parties have occurred within the (90) days preceding the submittal of the Project NPP
148 report.
- 149 vi. An affidavit attesting that the Project NPP report and all accompanying submissions
150 to the City Planning Commission are true, accurate, and complete.

151 * * *

152 **SECTION 3. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**
153 that Article 4.3 of Ordinance No. 4264, as amended by Ordinance No. __,____ M.C.S., the
154 Comprehensive Zoning Ordinance of the City of New Orleans, be and is hereby amended and reordained
155 to read as follows:

156 **ARTICLE 4.3 CONDITIONAL USES**

157 * * *

158 **D. Procedure**

159 * * *

160 **2. Pre-Application Meeting and Project Neighborhood Participation Program**

161 All applications for conditional uses shall include a Project Neighborhood Participation Program
162 (Project NPP). ~~A Project NPP is not required for any application for a conditional use or an~~
163 ~~amendment to an existing conditional use initiated by City Council.~~

- 164 a. Applicants shall first meet with the staff of the City Planning Commission to become familiar
165 with the procedure and approval standards for conditional uses and to obtain guidance on the
166 requirements of the Project NPP.
- 167 b. The Project NPP shall include the following information:
- 168 i. A brief description of the proposal, including estimated start and end dates and a
169 development plan for the project.
- 170 ii. An outlined area map and a contact list for notifying the individuals and entities
171 identified in Section 3.3.
- 172 iii. A general description of how parties on the contact list will receive written information
173 on the project, including a statement as to which public notification techniques will be
174 used for the project.
- 175 iv. A general description of how parties on the contact list will be informed of any changes
176 or amendments to the proposed project after the applicant's initial contact.
- 177 v. A statement as to how those impacted by the proposal will be provided an opportunity to
178 discuss the request if issues or questions should continue or suddenly arise.
- 179 vi. **A proposed meeting date, time, and location that will offer interested parties an**
180 **opportunity to discuss the proposed application that satisfies the following criteria:**
- 181 a) **The meeting should take place in a physical location at the proposal site or at a**
182 **meeting of a neighborhood association with boundaries within which any**
183 **portion of the subject property is located so long as the physical location satisfies**
184 **items c, d, and e below.**
- 185 b) **If the conditions at the proposal site are not conducive to a meeting, and if a**
186 **meeting of a neighborhood association with boundaries within which any**
187 **portion of the subject property is located will not occur within the timeframe**
188 **mandated by Sections 4.3 (D)(2)(b)(vi)(f) and 4.3 (D)(2)(g)(v), the Project NPP**
189 **meeting shall take place at a physical location that is within one-half mile (2,640**

190 feet) of the proposal site, or in any other physical location or via other means
191 that may be agreed upon by the applicant and the interested parties. Approval
192 of a Project NPP suggesting alternative means of meeting other than a physical
193 location requires a showing of a good faith effort to contact all interested parties
194 as described in Section 3.3, and their agreement to the alternative means of
195 meeting.

196 c) The location must be objectively safe for public occupancy.

197 d) The location must accommodate the ingress and egress of an unaided
198 handicapped person.

199 e) The physical location must able to maintain an ambient air temperature
200 between sixty-five (65) and eighty (80) degrees Fahrenheit during the meeting.

201 f) A Project NPP meeting not taking place at a neighborhood association meeting
202 and not using an alternative means of meeting may only occur on a weekday or
203 Saturday. The meeting shall commence no earlier than five-thirty (5:30) p.m.
204 and no later than seven o'clock (7:00) p.m. if on a weekday, or if on a Saturday,
205 shall commence no earlier than ten o'clock (10:00) a.m. and no later than four
206 o'clock (4:00) p.m.

207 c. The Project NPP meeting shall be conducted as follows:

208 i. A sign-in sheet shall be displayed in plain view sufficient to include the name, e-mail
209 address, postal address, and phone number of all persons attending the meeting.

210 ii. At least twenty (20) printed copies of the following shall be available for review at
211 the meeting:

212 a) The CPC staff-approved Project NPP as described in Section 4.3 (D)(2)(b).

213 b) An agenda that includes a description of the proposed changes.

214 c) Instructions on how an interested party may submit written comments directly
215 to the City Planning Commission.

- 216 d) Any plans or drawings that are proposed pending approval of a conditional use.
- 217 iii. A Project NPP meeting not taking place at a neighborhood association meeting shall
- 218 last at least forty-five (45) minutes after the announced start time, or until all
- 219 present interested parties have agreed their concerns have been fully presented.
- 220 iv. The applicant's presentation without taking questions from attendees cannot exceed
- 221 thirty (30) minutes.
- 222 v. The meeting shall be recorded by the applicant via video or audio recording device,
- 223 or via transcriptionist so that all public comments are audibly discernible or
- 224 typewritten verbatim. Meeting participants shall be allowed to conduct their own
- 225 audio or video recording of the meeting, but this shall not relieve the applicant of the
- 226 obligation to record the meeting.
- 227 d. ~~The applicant shall provide the Project NPP to the City Planning Commission and notice of~~
- 228 ~~an opportunity for interested parties to attend a meeting to discuss the proposed application~~
- 229 ~~not less than five (5) nor more than thirty (30) days after the date on which the applicant~~
- 230 ~~provides notification to the parties on the contact list. For the purpose of this section,~~
- 231 ~~meetings may be held in a physical location or via other means that may be agreed upon by~~
- 232 ~~the applicant and the interested parties. The notice provided in accordance with this section~~
- 233 ~~shall include a brief description of the proposed project, planned start and end dates, a~~
- 234 ~~development plan for the project, and any waivers of specific zoning standards that the~~
- 235 ~~applicant intends to request. City Planning Commission staff will review the sufficiency of~~
- 236 ~~the applicant's Project NPP. Prior approval of a Project NPP by City Planning~~
- 237 ~~Commission staff is required before an application for a conditional use will be~~
- 238 ~~accepted.~~
- 239 e. Upon approval of an applicant's Project NPP, City Planning Commission staff shall post
- 240 the Project NPP on a publicly viewable website and shall activate the Early Notification
- 241 Tool for Land Use Changes in the City of New Orleans (otherwise known as "Notice

242 Me”). Notice Me will offer notice of a proposed change to those who have registered
243 their interest in being informed of such a change on the Notice Me website. Notice Me
244 will also offer the recipient information on how to review the Project NPP and any
245 supporting documents.

246 **f.** The applicant shall provide notice to interested parties of an opportunity to attend the
247 meeting described in Sections 4.3 (D)(2)(b)(vi) and 4.3 (D)(2)(c) not less than ten (10)
248 nor more than thirty (30) days after the date on which the applicant provides
249 notification to the parties on the contact list. The notice provided in accordance with
250 this section shall include a brief description of the proposed project, planned start and
251 end dates, a development plan for the project, any waivers of specific zoning standards
252 that the applicant intends to request, and shall give instructions on how the proposal
253 documents may be accessed on a publicly viewable website.

254 **g.** The applicant shall submit a Project NPP report with the application and send a paper or
255 electronic copy of the report to all those who attended the Project NPP meeting or
256 submitted written comments to the applicant prior to the application being filed. The
257 report shall provide the following information:

258 i. The names of the individuals and entities that were notified and the total number of
259 number of people that participated in the process. A person that participates in the
260 process shall be defined as someone who attends the Project NPP meeting or submits
261 verbal or written comments to the applicant in reference to the proposed project.

262 ii. A list of the concerns, issues, and problems expressed by the participants.

263 iii. A statement as to how each concern, issue, and problem is addressed and how the
264 applicant intends to continue to address them. If the concern, issue, or problem is not
265 being addressed, the applicant shall state the reasons.

- 266 iv. Copies of letters, e-mails, affidavits, meeting invitations, newsletters, publica-
267 in sheets, and petitions received in ~~support of or in opposition~~ regards to the proposed
268 project, and any other materials pertaining to the notification process.
- 269 v. The date, time, and location of all meetings held with interested parties or a statement
270 indicating the reasons if no meeting was held. No information pertaining to any meeting
271 held more than ninety (90) days prior to the submittal of the application shall be accepted
272 as part of the Project NPP report, except where subsequent meetings with interested
273 parties have occurred within the (90) days preceding the submittal of the Project NPP
274 report.
- 275 vi. An affidavit attesting that the Project NPP report and all accompanying submissions
276 to the City Planning Commission are true, accurate, and complete.

277 * * *

278 **SECTION 4. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**

279 that Article 4.4 of Ordinance No. 4264, as amended by Ordinance No. __,____ M.C.S., the
280 Comprehensive Zoning Ordinance of the City of New Orleans, be and is hereby amended and reordained
281 to read as follows:

282 **ARTICLE 4.4 PLANNED DEVELOPMENTS**

283 * * *

284 **E. Procedure**

285 * * *

286 **2. Pre-Application Meeting and Project Neighborhood Participation Program**

287 All applications for planned development shall include a Project Neighborhood Participation
288 Program (Project NPP). ~~A Project NPP is not required for any application for a planned~~
289 ~~development or for any amendment to an existing planned development initiated by City Council.~~

- 290 a. Applicants shall first meet with the staff of the City Planning Commission to become familiar
291 with the procedure and approval standards for planned development and to obtain guidance
292 on the requirements of the Project NPP.
- 293 b. The Project NPP shall include the following information:
- 294 i. A brief description of the proposal, including estimated start and end dates and a
295 development plan for the project.
- 296 ii. An outlined area map and a contact list for notifying the individuals and entities
297 identified in Section 3.3.
- 298 iii. A general description of how parties on the contact list will receive **written** information
299 on the project, including a statement as to which public notification techniques will be
300 used for the project.
- 301 iv. A general description of how parties on the contact list will be informed of any changes
302 or amendments to the proposed project after the applicant's initial contact.
- 303 v. A statement as to how those impacted by the proposal will be provided an opportunity to
304 discuss the request if issues or questions should continue or suddenly arise.
- 305 vi. **A proposed meeting date, time, and location that will offer interested parties an**
306 **opportunity to discuss the proposed application that satisfies the following criteria:**
- 307 a) **The meeting should take place in a physical location at the proposal site or at a**
308 **meeting of a neighborhood association with boundaries within which any**
309 **portion of the subject property is located so long as the physical location satisfies**
310 **items c, d, and e below.**
- 311 b) **If the conditions at the proposal site are not conducive to a meeting, and if a**
312 **meeting of a neighborhood association with boundaries within which any**
313 **portion of the subject property is located will not occur within the timeframe**
314 **mandated by Sections 4.4 (E)(2)(b)(vi)(f) and 4.4 (E)(2)(g)(v), the Project NPP**
315 **meeting shall take place at a physical location that is within one-half mile (2,640**

316 feet) of the proposal site, or in any other physical location or via other means
317 that may be agreed upon by the applicant and the interested parties. Approval
318 of a Project NPP suggesting alternative means of meeting other than a physical
319 location requires a showing of a good faith effort to contact all interested parties
320 as described in Section 3.3, and their agreement to the alternative means of
321 meeting.

322 c) The location must be objectively safe for public occupancy.

323 d) The location must accommodate the ingress and egress of an unaided
324 handicapped person.

325 e) The physical location must able to maintain an ambient air temperature
326 between sixty-five (65) and eighty (80) degrees Fahrenheit during the meeting.

327 f) A Project NPP meeting not taking place at a neighborhood association meeting
328 and not using an alternative means of meeting may only occur on a weekday or
329 Saturday. The meeting shall commence no earlier than five-thirty (5:30) p.m.
330 and no later than seven o'clock (7:00) p.m. if on a weekday, or if on a Saturday,
331 shall commence no earlier than ten o'clock (10:00) a.m. and no later than four
332 o'clock (4:00) p.m.

333 c. The Project NPP meeting shall be conducted as follows:

334 i. A sign-in sheet shall be displayed in plain view sufficient to include the name, e-mail
335 address, postal address, and phone number of all persons attending the meeting.

336 ii. At least twenty (20) printed copies of the following shall be available for review at
337 the meeting:

338 a) The CPC staff-approved Project NPP as described in Section 4.4 (E)(2)(b).

339 b) An agenda that includes a description of the proposed changes.

340 c) Instructions on how an interested party may submit written comments directly
341 to the City Planning Commission.

- 342 d) Any plans or drawings that are proposed pending approval of a planned
343 development.
- 344 iii. A Project NPP meeting not taking place at a neighborhood association meeting shall
345 last at least forty-five (45) minutes after the announced start time, or until all
346 present interested parties have agreed their concerns have been fully presented.
- 347 iv. The applicant's presentation without taking questions from attendees cannot exceed
348 thirty (30) minutes.
- 349 v. The meeting shall be recorded by the applicant via video or audio recording device,
350 or via transcriptionist so that all public comments are audibly discernible or
351 typewritten verbatim. Meeting participants shall be allowed to conduct their own
352 audio or video recording of the meeting, but this shall not relieve the applicant of the
353 obligation to record the meeting.
- 354 d. The applicant shall provide the Project NPP to the City Planning Commission and notice of
355 an opportunity for interested parties to attend a meeting to discuss the proposed application
356 not less than five (5) nor more than thirty (30) days after the date on which the applicant
357 provides notification to the parties on the contact list. For the purpose of this section,
358 meetings may be held in a physical location or via other means that may be agreed upon by
359 the applicant and the interested parties. The notice provided in accordance with this section
360 shall include a brief description of the proposed project, planned start and end dates, a
361 development plan for the project, and any waivers of specific zoning standards that the
362 applicant intends to request. City Planning Commission staff will review the sufficiency of
363 the applicant's Project NPP. Prior approval of a Project NPP by City Planning
364 Commission staff is required before an application for a planned development will be
365 accepted.
- 366 e. Upon approval of an applicant's Project NPP, City Planning Commission staff shall post
367 the Project NPP on a publicly viewable website and shall activate the Early Notification

368 Tool for Land Use Changes in the City of New Orleans (otherwise known as “Notice
369 Me”). Notice Me will offer notice of a proposed change to those who have registered
370 their interest in being informed of such a change on the Notice Me website. Notice Me
371 will also offer the recipient information on how to review the Project NPP and any
372 supporting documents.

373 **f.** The applicant shall provide notice to interested parties of an opportunity to attend the
374 meeting described in Sections 4.4 (E)(2)(b)(vi) and 4.4 (E)(2)(c) not less than ten (10) nor
375 more than thirty (30) days after the date on which the applicant provides notification to
376 the parties on the contact list. The notice provided in accordance with this section shall
377 include a brief description of the proposed project, planned start and end dates, a
378 development plan for the project, any exceptions to specific zoning standards that the
379 applicant intends to request, and shall give instructions on how the proposal documents
380 may be accessed on a publicly viewable website.

381 **g.** The applicant shall submit a Project NPP report with the application and send a paper or
382 electronic copy of the report to all those who attended the Project NPP meeting or
383 submitted written comments to the applicant prior to the application being filed. The
384 report shall provide the following information:

385 i. The names of the individuals and entities that were notified and the total number of
386 ~~number of~~ people that participated in the process. A person that participates in the
387 process shall be defined as someone who attends the Project NPP meeting or submits
388 verbal or written comments to the applicant in reference to the proposed project.

389 ii. A list of the concerns, issues, and problems expressed by the participants.

390 iii. A statement as to how each concern, issue, and problem is addressed and how the
391 applicant intends to continue to address them. If the concern, issue, or problem is not
392 being addressed, the applicant shall state the reasons.

- 393 iv. Copies of letters, e-mails, affidavits, meeting invitations, newsletters, publications, sign-
394 in sheets, and petitions received in ~~support of or in opposition~~ regards to the proposed
395 project, and any other materials pertaining to the notification process.
- 396 v. The date, time, and location of all meetings held with interested parties or a statement
397 indicating the reasons if no meeting was held. No information pertaining to any meeting
398 held more than ninety (90) days prior to the submittal of the application shall be accepted
399 as part of the Project NPP report, except where subsequent meetings with interested
400 parties have occurred within the (90) days preceding the submittal of the Project NPP
401 report.
- 402 vi. An affidavit attesting that the Project NPP report and all accompanying submissions
403 to the City Planning Commission are true, accurate, and complete.

404 * * *

405 **SECTION 5. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS**
406 that Article 4.6 of Ordinance No. 4264, as amended by Ordinance No. __,____ M.C.S., the
407 Comprehensive Zoning Ordinance of the City of New Orleans, be and is hereby amended and reordained
408 to read as follows:

409 **ARTICLE 4.6 VARIANCES**

410 * * *

411 **D. Procedure**

412 * * *

413 **2. Pre-Application Meeting and Project Neighborhood Participation Program**

414 All applications for variances, with the exception of applications for variances involving a single-
415 family or two-family dwelling, shall include a Project Neighborhood Participation Program
416 (Project NPP).

- 417 a. Applicants shall first meet with the staff of the City Planning Commission to become familiar
418 with the procedure and approval standards for variances and to obtain guidance on the
419 requirements of the Project NPP.
- 420 b. The Project NPP shall include the following information:
- 421 i. A brief description of the proposal, including estimated start and end dates and a
422 development plan for the project.
- 423 ii. An outlined area map and a contact list for notifying the individuals and entities
424 identified in Section 3.3.
- 425 iii. A general description of how parties on the contact list will receive written information
426 on the project, including a statement as to which public notification techniques will be
427 used for the project.
- 428 iv. A general description of how parties on the contact list will be informed of any changes
429 or amendments to the proposed project after the applicant's initial contact.
- 430 v. A statement as to how those impacted by the proposal will be provided an opportunity to
431 discuss the request if issues or questions should continue or suddenly arise.
- 432 vi. **A proposed meeting date, time, and location that will offer interested parties an**
433 **opportunity to discuss the proposed application that satisfies the following criteria:**
- 434 a) **The meeting should take place in a physical location at the proposal site or at a**
435 **meeting of a neighborhood association with boundaries within which any**
436 **portion of the subject property is located so long as the physical location satisfies**
437 **items c, d, and e below.**
- 438 b) **If the conditions at the proposal site are not conducive to a meeting, and if a**
439 **meeting of a neighborhood association with boundaries within which any**
440 **portion of the subject property is located will not occur within the timeframe**
441 **mandated by Sections 4.6 (D)(2)(b)(vi)(f) and 4.6 (D)(2)(g)(v), the Project NPP**
442 **meeting shall take place at a physical location that is within one-half mile (2,640**

443 feet) of the proposal site, or in any other physical location or via other means
444 that may be agreed upon by the applicant and the interested parties. Approval
445 of a Project NPP suggesting alternative means of meeting other than a physical
446 location requires a showing of a good faith effort to contact all interested parties
447 as described in Section 3.3, and their agreement to the alternative means of
448 meeting.

449 c) The location must be objectively safe for public occupancy.

450 d) The location must accommodate the ingress and egress of an unaided
451 handicapped person.

452 e) The physical location must able to maintain an ambient air temperature
453 between sixty-five (65) and eighty (80) degrees Fahrenheit during the meeting.

454 f) A Project NPP meeting not taking place at a neighborhood association meeting
455 and not using an alternative means of meeting may only occur on a weekday or
456 Saturday. The meeting shall commence no earlier than five-thirty (5:30) p.m.
457 and no later than seven o'clock (7:00) p.m. if on a weekday, or if on a Saturday,
458 shall commence no earlier than ten o'clock (10:00) a.m. and no later than four
459 o'clock (4:00) p.m.

460 c. The Project NPP meeting shall be conducted as follows:

461 i. A sign-in sheet shall be displayed in plain view sufficient to include the name, e-mail
462 address, postal address, and phone number of all persons attending the meeting.

463 ii. At least twenty (20) printed copies of the following shall be available for review at
464 the meeting:

465 a. The CPC staff-approved Project NPP as described in Section 4.6 (D)(2)(b).

466 b. An agenda that includes a description of the proposed changes.

467 c. Instructions on how an interested party may submit written comments directly
468 to the City Planning Commission.

- 469 d. Any plans or drawings that are proposed pending approval of a variance.
- 470 iii. A Project NPP meeting not taking place at a neighborhood association meeting shall
471 last at least forty-five (45) minutes, or until all present interested parties have agreed
472 their concerns have been fully presented.
- 473 iv. The applicant's presentation without taking questions from attendees cannot exceed
474 thirty (30) minutes.
- 475 v. The meeting shall be recorded by the applicant via video or audio recording device,
476 or via transcriptionist so that all public comments are audibly discernible or
477 typewritten verbatim. Meeting participants shall be allowed to conduct their own
478 audio or video recording of the meeting, but this shall not relieve the applicant of the
479 obligation to record the meeting.
- 480 ~~d. The applicant shall provide the Project NPP to the City Planning Commission and notice of~~
481 ~~an opportunity for interested parties to attend a meeting to discuss the proposed application~~
482 ~~not less than five (5) nor more than thirty (30) days after the date on which the applicant~~
483 ~~provides notification to the parties on the contact list. For the purpose of this section,~~
484 ~~meetings may be held in a physical location or via other means that may be agreed upon by~~
485 ~~the applicant and the interested parties. The notice provided in accordance with this section~~
486 ~~shall include a brief description of the proposed project, planned start and end dates, a~~
487 ~~development plan for the project, and any waivers of specific zoning standards that the~~
488 ~~applicant intends to request. City Planning Commission staff will review the sufficiency of~~
489 ~~the applicant's Project NPP. Prior approval of a Project NPP by City Planning~~
490 ~~Commission staff is required before an application for a variance will be accepted.~~
- 491 e. Upon approval of an applicant's Project NPP, City Planning Commission staff shall post
492 the Project NPP on a publicly viewable website and shall activate the Early Notification
493 Tool for Land Use Changes in the City of New Orleans (otherwise known as "Notice
494 Me"). Notice Me will offer notice of a proposed change to those who have registered

495 their interest in being informed of such a change on the Notice Me website. Notice Me
496 will also offer the recipient information on how to review the Project NPP and any
497 supporting documents.

498 **f. The applicant shall provide notice to interested parties of an opportunity to attend the**
499 **meeting described in Sections 4.6 (D)(2)(b)(vi) and 4.6 (D)(2)(c) not less than ten (10)**
500 **nor more than thirty (30) days after the date on which the applicant provides**
501 **notification to the parties on the contact list. The notice provided in accordance with**
502 **this section shall include a general description of the proposed project, planned start**
503 **and end dates, a development plan for the project, the type and magnitude of the**
504 **variances that the applicant intends to request, and shall give instructions on how the**
505 **proposal documents may be accessed on a publicly viewable website.**

506 **g. The applicant shall submit a Project NPP report with the application and send a paper or**
507 **electronic copy of the report to all those who attended the Project NPP meeting or**
508 **submitted written comments to the applicant prior to the application being filed.** The
509 report shall provide the following information:

510 i. The names of the individuals and entities that were notified and the total number of
511 ~~number~~ of people that participated in the process. **A person that participates in the**
512 **process shall be defined as someone who attends the Project NPP meeting or submits**
513 **verbal or written comments to the applicant in reference to the proposed project.**

514 ii. A list of the concerns, issues, and problems expressed by the participants.

515 iii. A statement as to how each concern, issue, and problem is addressed and how the
516 applicant intends to continue to address them. If the concern, issue, or problem is not
517 being addressed, the applicant shall state the reasons.

518 iv. Copies of letters, **e-mails**, affidavits, meeting invitations, newsletters, publications, sign-
519 in sheets, and petitions received in ~~support of or in opposition~~ **regards** to the proposed
520 project, and any other materials pertaining to the notification process.

521 v. The date, time, and location of all meetings held with interested parties or a statement
522 indicating the reasons if no meeting was held. No information pertaining to any meeting
523 held more than ninety (90) days prior to the submittal of the application shall be accepted
524 as part of the Project NPP report, except where subsequent meetings with interested
525 parties have occurred within the (90) days preceding the submittal of the Project NPP
526 report.

527 vi. **An affidavit attesting that the Project NPP report and all accompanying submissions**
528 **to the City Planning Commission are true, accurate, and complete.**

529 * * *



**Report on the Neighborhood Participation Program Community Survey
Committee for a Better New Orleans
March 11, 2015**

1. Overview

The City Planning Commission Neighborhood Participation Program (NPP) was formally adopted as an amendment to the City of New Orleans Comprehensive Zoning Ordinance (CZO) in August 2013. Its requirements went into effect in September 2013.

In the eighteen months since the NPP went into effect, NPP meetings have been conducted throughout the city, and the program has achieved a very wide level of acceptance. In fact, in one public meeting, a participant was absolutely certain that the NPP had been in place for at least twenty years. Given the sea change in resident participation that the NPP has created in New Orleans, the acceptance among both applicants and community members indicates that there was clearly a need for structured civic engagement, and that the NPP is helping to meet that need.

To give just two examples of how the NPP is viewed in the community, a resident responded on one of the surveys that the NPP “is a GREAT improvement over where we were.” And an applicant stated, “thanks to the Neighborhood Participation Program, we had the chance to work with our neighbors before the project went up for final approval. We talked through our plans. We heard our neighbors’ concerns and took time to understand their vision for the neighborhood. And we did our best to address those concerns and contribute to that vision. When our project finally went before City Council, there was no opposition.”

At the same time acceptance of the NPP, and appreciation of its value, does not automatically translate into universal happiness with it in its present form. As CBNO surveyed applicants, residents and neighborhood associations from October 2013 through February 2015, a considerable number of questions, complaints and suggestions for improvements emerged. Even respondents who were generally satisfied with the process offered many suggestions for how to improve it.

This report will describe the survey methodology and findings, and conclude with specific recommendations for improving the NPP based on the statements made by the survey participants.

2. Methodology

Two similar but distinct surveys were developed, one for applicants (primarily business owners and developers) and one for residents and neighborhoods. Each survey contained a section where respondents indicated their level of satisfaction with various aspects of the NPP process, with possible answers being “very satisfied”, “satisfied”, “neutral”, “dissatisfied”, and “very dissatisfied”. Each contained a section with questions that were more open-ended, though some began with a “yes” or “no” type of question. For the residents, the survey also included questions about their involvement with their neighborhood association and the involvement of the neighborhood association with the NPP process.

Both versions of the survey were reviewed by the City Planning Commission (CPC). Some modifications were made based on input from CPC, and the final versions were reviewed and approved by the CPC prior to beginning the actual surveying.

In order to get responses to the survey, CBNO worked with CPC to track where and when NPP meetings were being conducted. Initially CBNO attempted to get residents in particular to complete surveys at these meetings, but found this not an effective approach. Instead, surveys were left with meeting participants, and they were asked to complete and submit them at their convenience.

CBNO also made the survey available online, and encouraged residents who had participated in NPP meetings to avail themselves of this method of providing their opinions.

Surveys were also provided to applicants at NPP meetings, with a similar request to complete the survey and return it to CBNO. In order to increase the number of applicant respondents, CBNO initiated contact with applicants using information obtained from CPC, and interviewed them in order to get the surveys completed. This included both telephone and in-person interviews.

A concerted effort was made to obtain the highest possible level of geographic diversity from both resident and applicant respondents. Also, CBNO attempted to conduct surveys prior to final decisions on the applications, to avoid biasing results based on favorable or unfavorable outcomes of the applications.

Despite the amount and variety of effort put into obtaining completed surveys, at the time of the writing of this report, a total of 43 surveys had been completed by residents and neighborhoods, and 13 surveys had been completed by applicants. The Limitations section below addresses this in more detail.

The two versions of the survey are attached as Appendices A and B to this report.

3. Limitations

The following limitations should be considered when reviewing this report:

- The number of respondents is small. Getting people on both sides of the equation to complete the surveys was challenging. Both residents and applicants had some resistance to investing more of their time into the NPP process. That said, CBNO reached a point where virtually nothing in the way of new input was being received. Thus, while statistically the data represents a small sample, the overall commentary seems to represent most if not all points of view.
- In general, people who are unhappy with a process, proposal, situation, etc., are more likely to speak up than those who are happy with it. While CBNO does not think that is the case with the NPP (even those who expressed general satisfaction with the process usually had comments about how to improve it), there is potential for this to have skewed the results slightly negatively.
- Especially on resident side, there were some issues with people focusing on outcomes (actual or perceived) rather than process. Creating valid, timely opportunities for community input does not create any inherent guarantees that all such input will impact final decision-making. Indeed, community members may have opposing points of view on any project or issue. CBNO worked carefully to distinguish complaints about outcomes from complaints about process within the longer answer questions in the survey, but the section in the resident surveys (and to a lesser degree, the applicant surveys) where respondents rated their satisfaction with the process may have been influenced by their satisfaction with the outcomes or what they anticipated the outcomes would be.
- The majority of respondents, both residents and applicants, completed the survey before the entire process had concluded. Contrary to the above paragraph, this appears to have had more of an impact among applicants. In particular, some applicants indicated that they did not like the fact that the NPP process added more time to the overall City Planning application process. For applicants who had not in fact completed the overall application process, this could also fall into the category of an anticipated or perceived outcome rather than an actual outcome.

4. Survey Results: Residents and Neighborhoods

Clearly New Orleans residents are glad to have the NPP in place. As one respondent noted, they would “rather engage early on than have to go to CPC or the [City] Council.” But even though residents are very appreciative of the NPP as a general concept, there are a significant number of complaints with the details (that same respondent listed several aspects of the NPP that s/he would like to see improved). Key areas that residents found the current NPP lacking include the following:

A. Meeting Notification

The number one complaint that appeared on the resident surveys was the minimum length of time required for advance notice of NPP meetings, which is at present five days. Only 42% of respondents were satisfied or very satisfied with this timeframe. As one respondent stated, “this is not enough time for average working people to request time off.” Some residents even reported receiving notice after the meeting had taken place. This was compounded for neighborhood associations; in one instance, the applicant sent a registered letter to the neighborhood association’s post office box, but the post office did not let the association know that the letter was waiting for them, and the association stated that it only checks the box “every week or so”. Thus the NPP meeting took place before the neighborhood association was aware of it.

Many residents and neighborhood associations reported instances where they (or their neighbors) had not been notified. In the case of the neighborhood associations, they stated that they were in fact registered with CPC, though CBNO was not able to verify this. We also think that there have been cases where residents did receive notice, but discarded it before reading it. Neighborhood associations may not have provided an updated address if officers have changed, or may have other inefficiencies in terms of receiving mail. That said, the number of complaints from residents who said they were not notified indicates that this is a legitimate problem. Several respondents suggested that a mailed letter was not enough, or not the best way to provide notice; suggested alternatives included email, social media and neighborhood listservs. Neighborhood associations particularly requested email notification, including the one involved in the situation described in the previous paragraph. Statistically, 44% of respondents were satisfied or very satisfied with the present notification delivery requirements.

The geographic area – the radius from the applicant’s property – was cited by quite a few respondents as not being large enough. Interestingly, a few thought it was too large (“Some of the participants would never be affected by the project”), but this may be a factor of meeting notice spreading by email or word of mouth rather than people receiving direct notification. Statistically, 42% of respondents were satisfied or very satisfied with the geographic scope of the notification. Neighborhood associations also felt that even if a property was not located in their neighborhood, they should still be notified if their boundaries were within the prescribed notification radius (for example, if the project was located on the other side of the street that marks the neighborhood boundary). On a related note, at least three respondents stated that there needs to be clarification of neighborhood borders/boundaries.

B. Meeting Timing and Location

“The meeting was held in a hot vacant parking garage, with no lighting, and plastic drapes covering holes in the walls ... 9AM on Monday morning is inappropriate, yet we had 10 neighbors attend.”

While this was the worst example provided, clearly some NPP meetings are being scheduled at times that are simply not convenient for the average working individual. Moreover, a few applicants apparently are choosing meeting locations that are a considerable distance from the property in question, though this appears to be the exception rather than the rule (17% of respondents indicated that the location itself was not convenient). This makes it all the more remarkable that the majority of NPP meetings seem to be

well-attended despite all the obstacles (63% of respondents were satisfied or very satisfied with the number of residents in the room, and another 12% were neutral; however, the numbers drop to 54% satisfied or very satisfied that the people in the room were representative of their neighborhood, with 16% neutral).

On a related note, only 13% of the NPP meetings surveyed by CBNO took place as part of a regularly scheduled neighborhood association meeting.

C. The Meetings Themselves

In a complaint echoed by some of the applicants, residents felt that too many NPP meetings do not have clear frameworks or objectives. Some applicants are not using any method to record participant comments (“This meeting didn’t gather neighbors’ comments and didn’t respond to neighbors’ concerns”). While residents applauded some applicants for being open and receptive to their input (only 18% were dissatisfied or very dissatisfied with the openness of meeting presenters), others were described as “only wanting to check the meeting off the list of ‘to-do’s” or “they only held the NPP meeting because they were required”. Sign-in sheets were not always provided or used; in some cases, not all participants were registered on the sign-in sheets.

While the majority of meetings seem to live up to reasonable standards of respect and civility – including the ones CBNO attended in person – this is not always the case. The word “hostile” was used in three different survey responses. Statistically, 66% of respondents were satisfied or very satisfied with the level of civility, 12% were neutral, and 21% were dissatisfied or very dissatisfied.

D. Lack of Information

The level of knowledge about zoning codes and issues varies greatly from one neighborhood to the next, and even among individual residents. Respondents reported that some meetings got off-track as participants focused on issues outside the scope of the application, and/or on non-zoning issues. As applicants themselves are not usually experts on the topic, this is a challenging issue to address. Statistically, 54% of respondents felt satisfied or very satisfied with the quality of the discussion at the meetings, with 15% neutral and 30% dissatisfied or very dissatisfied.

Other comments related to the amount of information related to the applicants’ presentations. In some cases, residents felt they were being presented “plans that were already finalized” and questioned whether their input would have any value. Others felt that not enough project information was provided (“they only inform you of what they want you to know about their request”). While overall satisfaction was fairly high, with 68% of respondents satisfied or very satisfied with the information, and 63% satisfied or very satisfied that the information prepared them to give feedback, 22% and 21%, respectively, answered that they were dissatisfied or very dissatisfied to the same questions.

In terms of the opportunity to provide feedback, there is clearly room for improvement in this area as well. While 63% of respondents were either satisfied or very satisfied with the amount of time provided for input, 9% were neutral and 27% were dissatisfied or very dissatisfied. And as noted previously, community input is not universally being recorded for the NPP reports.

Finally, several respondents stated that they were not able to find information about the application and/or property on the city website. 54% of respondents specifically stated that they could not find the NPP Report on the City Planning website.

E. Other

Other comments were received in the surveys that, while less frequent than the above, deserve inclusion in this report.

- Presence of city staff: several respondents felt that the meetings would have been more productive if city staff (CPC and Council staff were both mentioned) had been present. Reasons given included being able to provide more information; being able to help keep the meeting focused; and providing objective reporting back to city decision-makers.
- Follow-up: several respondents reported frustration with not knowing how to track the progress of the application after the NPP meeting. Most of these individuals requested that they receive some sort of reports by virtue of having attended the meeting and provided their contact information on the sign-in sheets. Statistically, 72% said they did not know how to find the results of the NPP processes in which they participated on the CPC website. On a more positive note, 59% reported that the applicants themselves did follow up with the neighborhood association and/or directly with the meeting participants.

The general attitude of residents to the NPP in its present state might be best summed up by one respondent's very simple comment: "It's a start."

5. Survey Results: Applicants

Somewhat to CBNO's (pleasant) surprise, satisfaction levels with the NPP were actually higher among applicants who responded to the survey than among residents. Applicants certainly had some complaints and recommendations for improvement. Again, there were a few comments that focused on outcomes or other aspects of the overall process rather than the NPP itself, though fewer than among residents. Again, CBNO worked carefully to distinguish between them and include only NPP process comments in the findings below. Key points from the survey include:

A. Concerns About Time/Delaying the Process

Some applicant respondents complained about the NPP process delaying their projects, and several others expressed concerns about the time they had to devote to the NPP. Six of the 13 respondents felt NPP complicated their project while seven did not; yet ten of the 13 felt the NPP helped their project. Even some of respondents who expressed concerns about the time conceded that it was beneficial; "time consuming but an important complication" was one comment. Another noted that the NPP "saves time later on in the project even though it is an extra step in the beginning." However, three respondents felt that the delays did have negative impacts on their projects; yet only one in the statistical section answered "very dissatisfied" to the question about the workload of completing the NPP (no respondent answered "dissatisfied", while nine were either satisfied or very satisfied).

B. Challenges with the Notification Process

While the majority of respondents were either satisfied or very satisfied with the pre-meeting process overall, several had problems. The primary issue appeared to be with the notification part of the pre-meeting process; comments included "don't know who to send things to", "database of contacts is out of date", and "no neighborhood leaders to coordinate with". A few respondents also felt that the information about the process they received from CPC was unclear. Also, some respondents had clearly been challenged by residents regarding their notification efforts, and two suggested developing some system that would provide proof of notification. One actually went door to door to deliver the notices to the surrounding residents, and reported that it was a very positive experience.

Statistically, responses about the pre-meeting process were as follows:

- Clarity of the notification requirements: 8 satisfied/very satisfied, 2 neutral, 3 dissatisfied/very dissatisfied
- City's contact database: 7 satisfied/very satisfied, 2 neutral, 4 dissatisfied/very dissatisfied

C. Working with City Planning Staff

Applicants clearly would like more clarity and guidance from CPC staff. While ten of 13 were satisfied or very satisfied with their informational meeting with staff, and only two were dissatisfied or very dissatisfied, the respondents still expressed some confusion about what was expected of them. Factoring in information from the resident respondents about inconsistencies in using sign-in sheets and clearly recording resident input, there would seem to be room for improvement in this area. At the same time, this is a new process, and undoubtedly applicants who repeat the process will be more familiar with it. While one applicant reported difficulties contacting CPC staff after the meeting, and another reported that the staff person they started working with left shortly after the beginning of the process, nine of 13 were satisfied or very satisfied with the helpfulness of staff, and only two were dissatisfied or very dissatisfied.

D. Relationship-building with Neighbors

While the survey did not ask a specific question on this subject, the additional comments provided make it clear that most applicants found this to be an important benefit of the NPP process. Among the comments:

- "Personal connections with neighborhood associations can be mutually beneficial."
- "Good: got the word out and was able to establish relationships with the neighborhood."
- "Got to know the community."

E. The Meetings Themselves

The applicants' overall satisfaction with the meetings was high, and few negative comments were received. A few felt that residents' comments were unclear or contradictory, and one applicant reported that some residents held back comments at the NPP meeting that were then made at the Planning Commission hearing. Statistically, responses about the meetings were as follows:

- Number of residents attending: 8 satisfied/very satisfied, 1 neutral, 3 dissatisfied/very dissatisfied (one no answer)
- Civility of the meeting: 11 satisfied/very satisfied, 1 neutral, 1 very dissatisfied
- Quality of the discussion: 9 satisfied/very satisfied, 4 dissatisfied/very dissatisfied

F. Other

- Several respondents requested "stricter" or "stronger" guidelines for the NPP process.
- One expressed safety concerns about the NPP process.
- Several felt that it would be helpful to have a CPC staff member present at the NPP meetings, echoing a sentiment expressed by some of the residents who responded.
- Some expressed concern of the impact of the NPP on smaller businesses, with one calling it "a lot harder for smaller businesses" and another suggesting that "fear of the process is deterring to small businesses".

Undoubtedly, fears of a backlash in the business community regarding the NPP have not materialized. Most applicants would probably prefer not to have to go through the process, but most also seem to understand its value and benefits. It is reasonable to project that as the NPP becomes even more widely known and understood, applicants will anticipate the time it requires, build it into their plans, and view it even more positively. Anecdotally, within the survey respondents and observing how the NPP has played out elsewhere in the community, there is no question that quite a few businesses have been able to utilize this process to build strong support for their plans and projects. As one respondent noted in summing up his/her view of the process: "all necessary".

6. Recommendations

The first set of recommendations are suggested for immediate implementation, as they are based on comments heard repeatedly. The second set are also highly recommended, but could perhaps merit further conversation and consideration. The third set are every bit as important, but are broader in scope than just the NPP process.

A. Recommended for Immediate Implementation

- I. Increase the minimum notification time for NPP meetings from five business days to at least ten business days, if not two calendar weeks.
- II. Establish a requirement that the NPP meeting location be not more than one mile from the project location, unless the NPP meeting is conducted as part of the regular meeting of the impacted neighborhood association and the location of that meeting is greater than one mile from the project location.
- III. Similarly, establish a requirement that the NPP meeting time not be during the normal workday, as workday meetings are simply too difficult for many residents to participate.
- IV. Require the use of sign-in sheets at NPP meetings, and require applicants to provide copies of those sign-in sheets to CPC staff as part of their NPP packets; make that very clear during pre-process meetings with applicants.
- V. Amend the section defining which neighborhood associations must be notified to include neighborhood associations whose boundaries fall within the established notification distance from the project location.
- VI. Expand the meeting notification methodologies to include emailing the neighborhood associations.
- VII. Remove the exemption from the NPP process for zoning amendments related to specific properties and projects that are initiated by the City Council. While this did not come up in the survey, it is an unnecessary and unfair loophole that is rife for abuse in the future by an unscrupulous Councilmember. There is simply no justification for this exemption; all projects and applicants should be treated equally.

B. Recommendations (for discussion)

- I. Include a requirement that the meeting location be handicapped-accessible, possibly excepting regular neighborhood association meeting locations.
- II. Establish a procedure through which NPP meeting participants will be automatically notified as the project/application in question proceeds through the city approval processes (i.e., hearing is scheduled at CPC, etc.).

III. Specify materials that will be made available to participants at NPP meetings (site plans, etc.) and the minimum number of copies that must be brought to the meeting by the applicant.

IV. Include in these materials instructions for participants to submit comments directly to the Planning Commission subsequent to the meeting.

V. Provide more specificity on how the meeting is to be conducted (i.e., minimum time that must be allotted for public comments, information that applicants must present).

VI. Expand the geographic area – the radius from the project location – for which notification of residents is required. Also, perhaps some sort of stickers could be produced to go on NPP notification envelopes identifying them as such.

VII. Refine the City Planning website to make it as easy as possible for residents to track the progress of an application as it continues through the process.

VIII. Review the pre-meeting materials provided to applicants, and the parameters of the pre-meeting conversation with CPC staff, to make sure they are as clear as possible.

IX. Create a centralized database of NPP meetings, including those that have occurred and those that have been scheduled, and make it accessible to the public. This would greatly facilitate the community's ability to follow the overall NPP process.

C. Broader-scale Recommendations

I. Many of the comments from both applicants and residents indicate that a stronger support structure is needed in order for the NPP to reach its full potential. CBNO submitted a comprehensive Citizen Participation Program (CPP) model to City Planning in 2011 (the NPP is based closely on the Early Notification System component of this model). Many cities all over the United States have a CPP, and it provides most if not all of the support structure requests found in the survey responses. These would range from having a city staff member present at all NPP meetings to improving the efficiency and effectiveness of notification procedures, from providing more information related to specific applications to informing residents about zoning laws in general. Until residents have access to the information and capacity-building they need, the NPP will be less than fully productive. Until such a structure exists that can ensure that notification of NPP meetings is comprehensive, applicants will still be vulnerable to complaints and objections later in the process. The NPP is an excellent first step, but it will remain only a first step until more progress is made on establishing a full-scale CPP.

II. In the interim, provide clear, accessible trainings for residents and neighborhoods on zoning laws. Offer these to neighborhood associations, community groups, churches, etc.

III. Also in the interim, expand a very similar NPP process to other departments and agencies whose decisions have direct impact on residents and neighborhoods, and could thus benefit from community input. Obvious examples would include the Historic District Landmarks Commission, the Department of Public Works and the Sewerage and Water Board.

IV. Update the city's official neighborhood boundary map. The present official map dates from the early 1970s, and has very little connection to perception and reality on the ground. Confusion over neighborhood boundaries as they pertain to the NPP is only one of many reasons this is essential. CBNO has developed a methodology for doing this, and piloted it successfully in two city planning districts.

7. Summary

The NPP is an historic step for New Orleans in terms of creating a mechanism and a mandate for community engagement. Overall, it is viewed positively by most of the people who have participated in it. The fact that responses from applicants were actually more positive than those from residents was a fascinating, completely unexpected result that should be viewed as very promising.

Nevertheless, clearly there is a need to refine the NPP to make it more effective and efficient. Residents and applicants agree on this, and in general terms agree on many of the aspects of the NPP where improvements are needed. The recommendations provided above will make for a much stronger, more productive NPP that will do a better job of both preserving neighborhood character and promoting quality economic development.

Finally, long-term success of the NPP is dependent on deeper systemic changes. A comprehensive structure for civic engagement, community capacity-building and accurate neighborhood boundary maps are essential for the NPP to realize its full potential as a community informing and input tool.

As our colleagues in Birmingham (AL) said repeatedly when a delegation of neighborhood, government and business leaders visited New Orleans a few years ago to discuss their citizen participation program, structured community engagement is a three-legged stool upon which strong cities are built, with residents, business and government being the three legs. The NPP is a small stool at present, but the ownership of it that is felt by all three legs demonstrates clearly that it can be built taller and stronger. With momentum on the side of progress, the time to do so is now.

Appendix I: Residents & Neighborhoods NPP Survey



2014 Survey regarding the Neighborhood Participation Program

Section 1 – Please Circle “Yes” or “No”

Has your Neighborhood Association registered with the Neighborhood Engagement Office or the Department of City Planning?

Yes No Not sure

Has your Neighborhood Association received any notifications, via email or regular mail, from developers regarding a project in your neighborhood?

Yes- Email Yes- Regular Mail No Not sure

Have you, as an individual, received any notifications, via email or regular mail, from developers regarding a project within 300/600 feet of your house or business?

Yes No

If you answered “yes” to any of the previous questions, and have attended an NPP meeting, please proceed to Section 2. If you have not received an NPP notice or attended an NPP meeting, please proceed to Section 4.

Section 2

	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
Satisfaction with the Notification Process					
How satisfied are you with...					
The type of notification delivery?					
The timeliness of notification delivery?					
The geographic scope of the notification?					
Satisfaction with the NPP Meeting					
How satisfied are you with...					
The information presented at the meeting?					
The degree to which the presented information prepared you to provide feedback?					
The amount of time and space given to you and your neighbors to provide feedback?					
The receptiveness of the presenters to feedback on the project?					
The civility of the meeting?					
The number of residents in the room?					
That the people in the room were representative of your neighborhood?					
The quality of discussion?					
Satisfaction with the Outcome					
If you are aware of the outcome of the meeting, how satisfied are you with...					
How your or your community's feedback affected the proposal?					
The stated reasons why some feedback was not taken into consideration?					
The accuracy of the report in regards to the discussion and feedback at the meeting?					
The ultimate outcome of the proposed project?					

Section 3

Are there any other comments you would like to make about the notification system?

Was the NPP meeting held during your Neighborhood Association's regular meeting?

Yes No

If no, do you feel like the time and the place of the meeting were convenient?

Yes No

Are there any other comments you would like to make about the meeting(s) you have attended?

Were you able to access the final report on the City Planning Commission's website?

Yes No

Were there any follow up communications from the developer?

Yes No

Do you feel the NPP is an adequate tool for residents to engage in land use decisions?

Do you feel like a similar process would be useful for other types of decisions (i.e., decisions about street repairs and design, city budgeting and capital expenditures, recreation or public safety initiatives, etc.)?

Section 4

Do you regularly attend your Neighborhood Association's meetings?

Have there been any instances in your neighborhood or community where you have noticed a project proceeding where you feel you should have been notified?

Have there been any instances in your neighborhood where you have become aware of an NPP meeting after the event has occurred?

If so, are you aware of what project the meeting concerned?

Have there been any instances in your neighborhood where a neighbor has mentioned receiving a notification whereas you have not?

Are you aware of how to find the results of the NPP process on City Planning's website?

Appendix II: Applicants NPP Survey



2014 Survey regarding the Neighborhood Participation Program and the Business Community
 Sec. 1. Questions about NPP process and meeting
 Sec. 2. Open ended responses to the NPP
 Section 1

	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied
Satisfaction with the Pre-Meeting Process					
How satisfied are you with...					
The clarity of the meeting requirements-who to contact, when, and why?					
The timeline of the NPP?					
Your informational meeting with City Planning about the NPP?					
The city's database of neighborhood contacts?					
The helpfulness of city staff during the process?					
Coordinating with the neighborhood leaders?					
Satisfaction with the NPP Meeting					
How satisfied are you with...					
The number of residents in the room?					
The civility of the meeting?					
The quality of discussion?					
The feedback given by residents?					
Satisfaction with the Outcome					
How satisfied are you with...					
The workload of completing the NPP?					
Any changes you made to your proposal based on feedback from the meeting?					

The final result of your CPC hearing?					
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Section 2

Did you attend a regularly scheduled neighborhood meeting, or did you set up a stand-alone meeting which solely focused on the proposed project?

Did you receive any negative comments about the meeting, such as the time it was held, location, or that there was not sufficient notification about the meeting?

Yes No

If yes, what was the comment or comments?

Would you recommend doing anything different for future meetings, and if so, what?

Did the feedback provided prompt you to change any aspects of your proposal?

Yes No

If so, what was the feedback, and what were the changes you made?

If there was feedback that was not incorporated into your proposal, why did you not include it?

Do you think NPP complicated your project in any way?

Yes No

If yes, why do you feel that way?

Do you think the NPP helped your project in any way?

Yes No

If yes, why do you feel that way?

Do you have any recommendations for how to improve the NPP?

Valerie A. McMillan

From: Laura A. Mellem
Sent: Friday, November 13, 2015 11:19 AM
To: CPCinfo
Cc: Paul Cramer; Valerie A. McMillan; Robert D. Rivers
Subject: FW: Neighborhood Participation Program Special Public Hearing - 5pm, Dec. 8, 2015

Please see below regarding NPP.

Laura A. Mellem
Liaison
Mayor's Neighborhood Engagement Office | City of New Orleans
1300 Perdido Street | Suite 8E15* | New Orleans, LA 70112
lamellem@nola.gov | 504-658-4982

*Please note, we have moved offices.

From: Julianna Padgett [mailto:juliannapadgett@gmail.com]
Sent: Friday, November 13, 2015 10:49 AM
To: Laura A. Mellem <lamellem@nola.gov>
Cc: Keith Twitchell <keithgct@aol.com>
Subject: Re: Neighborhood Participation Program Special Public Hearing - 5pm, Dec. 8, 2015

Laura -
again, in no way do I want to put this onus on George - please emphasize that it's the process. I think George is a new developer and is learning the ropes. But I believe that a lot of neighbors are discouraged by the end result.
Best,
Julianna

On Fri, Nov 13, 2015 at 9:45 AM, Laura A. Mellem <lamellem@nola.gov> wrote:

Hi Julianna,

Thanks for alerting me to this issue. I will forward to City Planning. I announced the hearing notice last night at the CRNA meeting, but if folks are unable to attend the meeting, they can submit comments by emailing cpcinfo@nola.gov.

Please let me know if you have any other questions or concerns.

Best,
Laura

Laura A. Mellem
Liaison

Mayor's Neighborhood Engagement Office | City of New Orleans
1300 Perdido Street | Suite 8E15* | New Orleans, LA 70112
lamellem@nola.gov | [504-658-4982](tel:504-658-4982)

*Please note, we have moved offices.

From: Julianna Padgett [<mailto:juliannapadgett@gmail.com>]
Sent: Wednesday, November 11, 2015 6:30 PM
To: Keith Twitchell <keithgct@aol.com>; Laura A. Mellem <lamellem@nola.gov>
Subject: Fwd: Neighborhood Participation Program Special Public Hearing - 5pm, Dec. 8, 2015

Keith and Laura -

re: upcoming NPP hearings

Just a note about Carrollton's experience with NPP in one instance.

George Fowler who is the developer of 8616 Oak Street made all necessary efforts with the NPP. We had several congenial meetings and the final version of the plans that he presented to the neighborhood incorporated our input with the facade acceptable to most residents, as balconies and columns at the front provided sidewalk shade and reflected some of the history of the neighborhood.

<http://uptownmessenger.com/2014/07/demolition-of-landscaping-office-approved-to-make-way-for-oak-lofts-condos/>

However, what is actually being built is very different and on Nextdoor Neighbor, George explained that Entergy restricted balcony size to avoid utility lines and which led to a configuration that meant he couldn't put in the columns on the sidewalk. We now are going to have with a very different facade - more modern looking. George is a good guy and I don't think was trying to deceive anyone. I assume that he did what he could, though he didn't come back to the neighborhood after the design changes were made.

<http://8616oak.com>

However, if the NPP required that plans be submitted to neighborhood groups after all utility, etc approvals, this neighborhood would have had a clearer picture of what we were getting. I think we would have worked with George until we had a better look for Oak Street.

This is very disappointing and points to a change needed in the NPP process.

Thanks,

Julianna

----- Forwarded message -----

From: **Paul Cramer** <pcramer@nola.gov>

Date: Wed, Nov 11, 2015 at 5:17 PM

Subject: Neighborhood Participation Program Special Public Hearing - 5pm, Dec. 8, 2015

To: Paul Cramer <pcramer@nola.gov>

**CITY PLANNING COMMISSION RULES, POLICIES, PROCEDURES AND NEIGHBORHOOD
RELATIONS COMMITTEE PUBLIC HEARING NOTICE**

TUESDAY, DECEMBER 8, 2015

PUBLIC HEARING: 5PM CITY COUNCIL CHAMBERS

(CITY HALL – ROOM 1E07)

THE CITY PLANNING COMMISSION'S RULES, POLICIES, PROCEDURES AND NEIGHBORHOOD RELATIONS COMMITTEE WILL HOLD A SPECIAL PUBLIC HEARING ON WEDNESDAY, DECEMBER 8, 2015 IN THE CITY COUNCIL CHAMBERS (CITY HALL ROOM 1E07) ON THE NEIGHBORHOOD PARTICIPATION PROGRAM (NPP). THE PUBLIC HEARING WILL TAKE PLACE AFTER THE REGULAR MEETING OF THE CITY PLANNING COMMISSION, BUT NO EARLIER THAN 5PM.

NEIGHBORHOOD PARTICIPATION PROGRAM (NPP) STUDY – To consider modifications to the NPP to further enhance early notification and the dissemination of information related to development projects.

INTERESTED PARTIES ARE ENCOURAGED TO ATTEND AND RELEVANT COMMENTS CONCERNING THE NEIGHBORHOOD PARTICIPATION PROGRAM ARE ENCOURAGED. THE CPC HAS ESTABLISHED PUBLIC HEARING RULES WITHIN ITS ADMINISTRATIVE RULES, POLICIES, & PROCEDURES, WHICH ARE AVAILABLE ON THE CPC WEBSITE: WWW.NOLA.GOV/CPC. YOU MAY ALSO SUBMIT WRITTEN COMMENTS TO THE EXECUTIVE DIRECTOR BY MAIL (1300 PERDIDO STREET, 7TH FLOOR, NEW ORLEANS, LA 70112) OR EMAIL CPCINFO@NOLA.GOV. ALL WRITTEN COMMENTS MUST BE RECEIVED BY CLOSE OF BUSINESS ON 5PM, MONDAY, JANUARY 4, 2016.

Robert Rivers, Executive Director

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Julianna D. Padgett, Ph.D., LCSW

Assistant Dean

Tulane School of Social Work

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**The Public Law Center
6329 Freret Street, Suite 130
New Orleans, Louisiana 70118**

MEMORANDUM

To: City Planning Commission

From: David Marcello

Re: Implementation of Early Notice Zoning Procedures

Date: December 8, 2015

Two years ago, The Public Law Center (TPLC) submitted a letter to the local chapter of the American Planning Association, supporting an award of excellence for the City Planning Commission's work on nurturing into fruition a procedure for early notice of zoning initiatives. The early notice procedure did not receive the award, but it remains a worthy effort at public empowerment through participation in the zoning process.

TPLC has a long history of involvement with the early notice procedure and as an advocate for "openness" and "public participation" in city government. Beginning in 2006 (within a year after Hurricane Katrina made landfall) and continuing through 2013, TPLC staff and students prepared a series of draft ordinances and research papers to support the establishment of early notice procedures in zoning for New Orleans. That objective was realized when early notice procedures were incorporated into the Comprehensive Zoning Ordinance (CZO) in 2013. They will dramatically increase openness and public participation in the land-use planning process.

Traditional zoning procedures in New Orleans have been plagued for many years by public perceptions of "planning by surprise," causing conflict in the city's planning process and undermining public trust in the integrity of municipal land-use decisions. These concerns are not unfounded and are an outgrowth of two historic factors in New Orleans city government:

(1) First, the "district council member's prerogative" incentivized developers to meet privately in advance with the district council representative and achieve a meeting of the minds on major zoning changes, only thereafter dealing with members of the public.

(2) Second, the time-limited process within which zoning changes must be considered and finally acted upon inevitably benefits applicants, who have *greater information* and *superior resources*, thus further incentivizing applicants to confront stakeholders (particularly "weak" stakeholders) within the 120-day timeframe of the formal zoning approval process, not before.

Early notice pushes back against these perverse incentives by putting all parties (weak and strong) on notice *in advance*, during the pre-application period; it's significantly fairer and more transparent than the traditional zoning procedure it displaced.

Originality and Innovation: Early notice introduces New Orleans to a "third generation" of modern zoning practice. In the first wave of zoning after *Euclid*, professional planning expertise was the order of the day, caricatured as a "top-down" approach: "We are here to tell you how to achieve the city beautiful."

A second wave of "adversarial" zoning that took hold during the 1960s and 70s emphasized a "bottom up" approach in which stakeholders waged a contest before public planning bodies, trusting that out of the cacophony of voices would emerge a decision "in the public interest." Adversarial zoning depended for its success, however, on a rough equality of resources and representation among the stakeholders whose arguments pro and con were to inform decision-making by public planning bodies. This assumption of equality often proved in practice to be a fatally flawed assumption, skewing outcomes toward privileged populations and disfavoring the disadvantaged.

Now, at the dawn of the third millennium, New Orleans has embraced a third way—"collaborative" zoning—by requiring early notice in the pre-application phase, which limits the incentive for developers to communicate privately and achieve "a separate peace" with district council members. Instead, early notice requires a dialogue between developers and area residents, encouraging them to share views and explore opportunities for consensus *before* the commencement of hostilities in a public forum after the zoning application is filed and the 120-day "shot clock" begins running. This early notice zoning procedure is a "first" for New Orleans, and it brings us into conformity with modern planning principles.

Transferability: Early notice procedures are highly transferable to other jurisdictions, because they cost relatively little in public expenditures and because they derive their vitality from modest textual changes in the CZO rather than depending on the creation of an expensive infrastructure to support public participation. Early notice procedures are certainly compatible with a well-funded citizen participation structure, but they do not depend upon it for their success.

Most new costs attributable to early notice are placed upon the applicant, as they should be, incentivizing applicants to reach agreement with disgruntled stakeholders during the pre-application phase in order to protect their investment. Early notice is quintessentially a "process" that precipitates communication among all stakeholders in a public planning forum—and does so with little or no fiscal impact on scarce public planning resources. It would be overly simplistic to say that other jurisdictions can adopt similar procedures with the stroke of a pen, *but it would not be much of an oversimplification*.

Writing early notice procedures into the CZO fosters collaborative zoning discussions among stakeholders and facilitates subsequent deliberations and decisions about proposed zoning changes by public planning bodies. New Orleans city government has often modeled innovative solutions to public problems that were later adopted by other municipalities in Louisiana. The early notice procedure has great potential to serve a similar purpose in the coming years.

Quality: The City Planning Commission conducted an exemplary planning process in considering and adopting early notice procedures. In a series of public hearings beginning in 2011, the CPC gathered opinion, summarized public input, proposed an initial draft, repeatedly modified the text in response to

further public comments, and facilitated the City Council's consideration of the initiative by making a well-informed presentation of findings and recommendations in May 2013.

Various CPC reports exhibited an excellence of thought, analysis, writing, and graphics appropriate to this high-quality product that opens government and enhances public participation with minimal impact on the cash-strapped city budget. This thoughtful and well-conceived procedure for supplying early notice to stakeholders is also highly ethical, creating a fairer playing field that will encourage collaboration and consensus while also diminishing or eliminating the divisive effects of "planning by surprise."

Comprehensiveness: Early notice exhibits the best characteristics of modern planning principles, preserving ample room for *professional planning* expertise and *adversarial* testing of planning proposals while simultaneously implementing a procedure that encourages *collaboration* during the earliest and potentially most productive phase of the planning process. These early notice procedures serve two worthy public objectives—promoting open government and enhancing public participation. But their most enduring contribution may be to restore public trust in the integrity of land use planning and decision-making in New Orleans by encouraging broad engagement among energized residents.

Public Participation: Early notice of important zoning changes is the *sine qua non*, the very threshold, the "trigger" for public participation. Planners cannot benefit from an informed dialogue about proposed zoning changes without first providing notice to stakeholders—the sooner, the better.

Early notice is not only the essential facilitator of public participation in zoning decisions, but was itself the product of an exemplary public participation process conducted by the City Planning Commission over a period of several years. Planning staff invited comments from the business sector, neighborhood associations, civic groups, community organizations, university faculty members, public officials, and others as the Project NPP took shape. The CPC sought input directly from marginalized populations and also built strategic partnerships with civic intermediaries that have long-standing relationships with traditionally underrepresented interests. Media coverage attended every stage of the adoption process and raised public awareness of the new procedure. This commitment to the widest possible participation of residents and stakeholders has continued in the post-adoption period, as planners meet with zoning applicants, make public presentations to the community, post helpful online guides, and brief reporters on implementation of the new early notice procedures.

Role of Planners: Planners will play an absolutely key role in the successful implementation of early notice procedures. They will meet with zoning applicants to explain the new early notice procedures and inform them of the responsibility to solicit public input and to interact meaningfully with the stakeholder community. Planners will evaluate the reports prepared by zoning applicants during the pre-application phase and in some instances may reject inadequate reports, denying applicants the right to file for a zoning change and sending them back to the public participation process. Planning staff may facilitate collaborative discussions between zoning applicants and stakeholders by offering their professional planning assistance during the pre-application phase. Planners will continue to play a time-honored and traditional role in the formal zoning process by conducting public hearings, compiling public reports, and preparing professional planning documents that inform the decisions made by public officials.

Implementation Strategy and Funding: We have already noted the low-cost nature of early notice procedures. Most costs will be borne during the pre-application phase by zoning applicants. Planners will be required to invest some time in meeting with applicants to explain the new procedures,

but this investment during the pre-application phase promises to return savings in reduced conflict and better use of planning resources during the formal zoning adoption process. Here is the procedure's great asset: **Early notice is not heavily dollar dependent.** Additionally, as early notice requirements become more familiar to zoning applicants and to area residents alike, fewer and fewer planning resources will be required to facilitate its smooth operation.

Early notice builds public confidence in zoning by enhancing public participation and subjecting land use decisions to the full glare of "sunshine," illuminating formerly dark corners in city government and sanitizing them with public scrutiny—all for an extremely reasonable (indeed, minimal) public price. Early notice is truly the gift that keeps on giving.

Effectiveness, Results, and Sustained Improvement: We have every expectation that early notice will diminish conflict and foster collaborative zoning; that it will end "planning by surprise"; and that it will build public trust in the integrity of land-use planning.

As yet, it's too early to know for sure whether all of these expectations will be realized. The implementation phase is still evolving, and a systematic analysis of outcomes will be needed and useful to guide the CPC, as it continues developing its own implementation rules and procedures.

TPLC and the neighborhood organizations that we represent maintain a deep and enduring interest in how these new procedures will be interpreted and applied during their first months or years, because those implementation decisions will significantly impact the new procedure's effectiveness as a public participation tool. We've suggested below several considerations of terminology and procedure that might be useful in maintaining clarity about this innovative new process.

Terminology: Ordinance No. 25,450 M.C.S. (approved August 29, 2013) creates new "Notice Provisions" at 16.9.2 in the CZO, referring to "Pre-Application Meeting and Project Neighborhood Participation Program" in describing the new public participation requirements. We suggest a shared understanding at the outset about word choices (shown in *italics* immediately below) as they are used in describing and implementing the new procedures:

- (1) We suggest consistently use the word "*meeting*" to distinguish between (i) the pre-application "meeting" held by an applicant with members of the public and (ii) the public "hearing" held by the City Planning Commission to approve or disapprove an application.
- (2) We note a distinction between (i) the Project Neighborhood Participation Program (or "Project NPP") as described in the ordinance and (ii) a separate initiative described outside of the ordinance as the Neighborhood Participation Plan (or "NPP"). The Project NPP is a new zoning **procedure** that applies to each specific zoning application; it embodies what we've described in earlier correspondence as "early notice." The NPP is an **organizational structure** that's been under discussion for many years but has not yet been implemented. To avoid confusion, we suggest consistently using the term "*early notice*" in referring to the Project NPP process and to distinguish it from the NPP organizational structure.

Purposes: Early notice zoning procedures serve two equally important purposes—(i) informing the public of zoning applications to prevent “zoning by surprise” and (ii) promoting "collaborative zoning" by establishing an early, meaningful dialogue between applicants and community stakeholders. CPC staff will play an important role in accomplishing these dual objectives.

Notice: New technology at City Hall offers an opportunity to go beyond the formal notice requirements imposed by ordinance. The "Notice Me" system enables easy, low-cost electronic dissemination of notice to interested community stakeholders. This wider capacity for notice is a good thing. The CPC should require that applicants send an email notifying CPC staff about the date, time, and place of their proposed pre-application meeting with members of the public. Staff should then post that information on the CPC website and disseminate it through the "Notice Me" system.

Informed Dialogue: Staff can also enhance meaningful dialogue between applicants and community stakeholders by retaining a copy of the applicant’s materials presented to CPC staff during the pre-application briefing session. The materials would serve as a public record informing community members about the proposed project and would also establish a public "benchmark" against which to measure subsequent revisions to the project as a consequence of the applicant’s pre-application meetings with members of the public.

Pre-Application Meeting: Neither applicants nor community stakeholders should be left to their own devices in structuring and conducting appropriate pre-application meetings. The City Planning Commission owes everyone clear guidance about what format and procedures are required in order to promote a meaningful dialogue between applicants and stakeholders. The CPC should promulgate regulations to establish these guiding principles, and we are prepared to assist CPC staff in drafting this proposed "road map."

The following principles might guide the CPC in defining an appropriate "format" or "structure" for pre-application meetings and the "procedures" to be followed in conducting meetings:

- (A) The meeting should be held in a room of sufficient size to accommodate all interested participants, where everyone can hear and comment on the dialogue between community members and the applicant.
- (B) Any participant in the meeting should be entitled to make a video or audio recording of the proceedings, as long as the recording is not disruptive.
- (C) The applicant should make available a sign-in sheet where participants can list their names and contact information.
- (D) An applicant should begin by explaining the format of the meeting and describing the proposed project or action, using written materials, poster boards, PowerPoint slides, or other information to enhance community members’ knowledge and understanding.
- (E) Participants should each be afforded the opportunity through an orderly procedure to speak and ask questions of the applicant.
- (F) Applicants should be prepared to respond during the meeting to questions asked and concerns expressed by the participants.

- (G) An applicant might summarize during the course of a meeting the concerns or issues expressed by participants and might consider with participants a range of acceptable responses to their concerns.
- (H) Applicants should take notes of comments made by participants and the applicant's responses, if any, so this information can be preserved and presented in the Pre-Application Meeting Report filed later with the CPC application.

The Pre-Application Meeting Report should include a copy of the sign-in sheet with names and contact information of participants and should also provide the following:

- (I) Summarize issues or concerns raised by participants during the meeting, and identify stakeholders who expressed those concerns (e.g., neighborhood associations, individual area residents, commercial enterprises, professional experts, preservationists, public sector personnel, environmentalists, or others).
- (J) Describe the applicant's responses, if any, to issues or concerns expressed.
- (K) Describe any subsequent communications between the applicant and stakeholders, including any evidence of agreement achieved as a consequence of follow-up communications.
- (L) Identify items that might benefit from CPC-facilitated discussions between the applicant and community stakeholders.
- (M) Review any changes made in the application as a result of pre-application meetings with members of the public.

CPC Review: Effective implementation of the early notice procedure requires a meaningful review of the Pre-Application Meeting Report by CPC staff. CPC regulations should afford both staff and the public five days after an applicant delivers its application and report in order to accomplish the following:

- (N) Post the report online and disseminate it through the "Notice Me" system for public review and comment within a specific deadline.
- (O) Consider any public comments received within the five-day deadline in evaluating the adequacy of the applicant's report.

CPC staff should evaluate each Pre-Application Meeting Report by asking and answering the following questions:

- (P) Is the applicant's summary of concerns or issues *complete*?
- (Q) Is the applicant's summary of concerns or issues *accurate*?
- (R) Has the applicant made a *good-faith effort to respond* to the concerns or issues expressed, either during the meeting or in subsequent follow-up communications?
- (S) Has the dialogue between applicants and stakeholders been conducted in *compliance with planning principles* found in the CZO and the Master Plan?
- (T) Are there any issues or concerns that CPC staff might help to resolve through a *facilitated discussion* between applicants and stakeholders?

After considering public comments and conducting its evaluation, CPC staff might pursue any of three procedures: (i) approve the Pre-Application Meeting Report and file the application; (ii) disapprove the Pre-Application Meeting Report as inadequate and require a new pre-application public meeting and report; or (iii) offer the applicant and stakeholders an opportunity for further discussions facilitated by CPC staff.

We also suggest an approach in discussions over the next month or more that might shift the focus from one of "formal legal process" to an effective "protocol" that enhances public notice and participation to the greatest extent. In essence, the CC should simply lead a community conversation about sensible procedures for minimizing "planning by surprise" and maximizing residents' perception that they've been dealt with fairly in the planning process. We can embed the best ideas in "law" later as may be needed.

Thus, the protocol discussion might consider both legal formalities (under the open meetings and public records laws, for example) as well as operational capabilities (like the Notice Me system) that can be deployed without legal compulsion to improve people's interactions with the process. Because technology is so rapidly changing the landscape, we should be prepared to use it flexibly and needn't be straight-jacketed by rigid requirements enacted as either ordinance or regulatory law, which can always be adapted later to meet changing needs.

The early notice procedure has been described on occasion as "bare-bones" in terms of the authority it gives to the City Planning Commission and staff. TPLC sees considerable authority there, either explicit or implied, and we can provide more particulars on that as needed. But we are also very supportive of adding language to the ordinance that clearly empowers the CPC and its staff to flesh out implementation of the early notice procedure in accordance with rulemaking requirements under the home rule charter. One potential area of improvement might involve adding criteria in the ordinance by which the CPC can evaluate the adequacy, accuracy, and completeness of applicants' reports on the community meeting required by the early notice ordinance.

We look forward to continued interaction with the CPC as these important early notice procedures continue to evolve.

Brian Luckett
936 Gallier St.
New Orleans, LA 70117
bluckett@cox.net

Rules, Policies, Procedures and Neighborhood Relations Committee
c/o Robert D. Rivers, Executive Director
1300 Perdido St., 7th Floor
One Stop Shop
New Orleans, LA 70112

Date: December 17, 2015
Re: Neighborhood Participation Program (NPP) Study

Dear Committee Members:

In revising the Neighborhood Participation Program, I ask that the CPC take foremost into consideration fulfilling the letter and spirit of City Charter Amendment section 5-411. The voters of Orleans Parish ratified this amendment on November 4th, 2008 to ensure that residents are able to participate in land use decisions that affect their neighborhood. The City Charter has primacy over any ordinance passed by the legislative and executive branches of New Orleans' government and must be implemented in its entirety.

The text of section 5-411 reads:

The City shall establish by ordinance a system for organized and effective neighborhood participation in land use decisions and other issues that affect quality of life. It shall provide for timely notification to a neighborhood of any proposed Land Use Action affecting the neighborhood; it shall also provide the opportunity for meaningful neighborhood review of and comment on such proposals. In addition, it shall provide the opportunity for meaningful neighborhood participation in the formulation of the Master Plan or any amendment thereto.

Current implementation of the NPP falls far short of the requirements mandated by section 5-411 by failing to make neighborhood participation in land use decisions “effective” and by allowing the City Council to introduce zoning changes without an NPP.

Effective Neighborhood Participation

Section 3.3 of the new CZO specifies that applicants for zoning changes, waivers and conditional uses must contact all residents and businesses within either 300 or 600 feet of the proposed land use. This clearly establishes that the public input of near neighbors (those within 300 or 600 feet) is to be given priority in considering land use changes. However, since the implementation of the NPP two years ago, there have been numerous examples in which the near neighbors have expressed an overwhelming majority opinion, but that opinion went unconsidered or even mentioned by the CPC and City Council in approving land use changes. How can the participation of those neighbors in land use decisions be considered to be “effective” when, in fact, it had no effect at all?

Currently, CPC staff reports do not summarize the public input from near neighbors. The written comments of near neighbors are not sorted or prioritized in any way, but simply appended to the end of the report and mixed with comments received from people who do not reside near the proposed land use change. There are often redundant copies of some letters appended to the staff reports which makes it even harder to find the comments of near neighbors. This type of reporting makes it difficult for Commissioners and Councilmembers to identify and, thus, consider the opinions of near neighbors in weighing land use changes.

I urge the Commissioners to require that the CPC staff include in their staff reports a summary of the written comments submitted by near neighbors. Additionally, the consensus opinion of the near neighbors should be referenced in the staff recommendation discussions, indicating reasons for either agreeing or disagreeing with the near neighbors' opinions and suggesting compromises such as provisos to address the near neighbors' concerns. A tally of comments in support and opposition of each land use change should also be included that breaks down the commenters by near neighbors and others. Written comments from near neighbors should appear in a separate appendix of the staff report without duplications where CPC Commissioners and Councilmembers can easily find them.

City Council Exemption

Article 4, section 2.D.2 states, "A Project NPP is not required for any application for a text amendment or for any zoning amendment initiated by the City Council." However, City Charter Amendment section 5-411 does not allow for such an exception. Section 5-411 states that its provisions apply to "any proposed Land Use Action affecting the neighborhood." Section 5-412 of the City Charter specifies that the term "Land Use Action" encompasses:

...the preliminary or final approval of a zoning map amendment, a zoning ordinance text change, subdivision plat, site plan, planned unit development, or conditional use; the granting of a variance, adoption of a development agreement, or issuance of a certificate of appropriateness; a decision by the City or any of its administrative authorities to construct a capital improvement, acquire land for community facilities, including transportation facilities, or for redevelopment.

Thus, any zoning matter initiated by the City Council is subject to the NPP process. I urge the CPC to delete the text "A Project NPP is not required for any application for a text amendment or for any zoning amendment initiated by the City Council" from Article 4, section 2.D.2 of the new CZO. Any city-wide zoning ordinance introduced by the City Council should have an NPP conducted by the City Planning Commission with the results summarized by CPC staff and included in the recommendations to the City Council.

Thank you for your diligence in revising the NPP process. This is an opportunity to fulfill the promise of City Charter Amendment 5-411 that was ratified by a majority of Orleans Parish voters to create a fair land use process that respects the collective wisdom of neighborhood residents.

Sincerely, Brian Lockett

From: CPCinfo
Sent: Tuesday, January 05, 2016 10:07 AM
To: Paul Cramer
Subject: FW: recommendations regarding npp

From: Jeanne Nathan [<mailto:jnathan.ci@gmail.com>]
Sent: Monday, January 04, 2016 7:03 PM
To: CPCinfo
Subject: recommendations regarding npp

1. I am concerned that there is no way to determine the validity of the applicant's recording of comments by community members from meetings with them. From experience, some applicants will be straight forward and honest about the comments, others not. There should be a provision that calls for community review and comment on the applicant's report.
2. I do not see any provision for communication between the community and CPC staff prior to the hearing. With the current time periods allowed for comment, a community may have only 15 minutes total to protect the character of a neighborhood. There should be a requirement for the CPC to invite affected community citizens or organizations to express concerns to staff prior to the public hearing.
3. In other cities, a summary of community comments are included in the CPC staff recommendations to the CPC. We should follow this protocol, or the CPC may not learn of legitimate concerns or suggestions until the public hearing which is late in the process.
4. The validity of applicant representations regarding community views on their project must be verified. In the case of the Holy Cross school site, an exhaustive survey of addresses listed in a petition by the applicant for a zoning change determined that only a small fraction of the petition signatures were valid. Many addresses had no residents. Many residents listed in the petition report said they knew nothing about the project. Many said they "understood from the applicant it was a good project" with little further details. Again, vetting the list with community organizations may be a way to validate signatures and comments.

Please let me know how you will address these issues.

5. Finally, a soft issue is how to combat false representations by applicants about the nature of community constituencies. It is the impression of the community opposing the zoning change requested by the applicant for the Holy Cross school site that the coalition of many diverse organizations were described as "white newbies". Nothing could be further from the truth as a coming together of organizations and citizens as never before in the 9th ward occurred. Again, the brevity of the process, and the limited opportunity of the community to communicate with CPC staff, and the lack of communication of community issues to the commission discounted a nine month rigorous and constructive process, with technical assistance from the Tulane City Center, that provided three alternative development concepts that would have encouraged development within height and density criteria more in keeping with the character of the

neighborhood. Bottom line, the efforts of a community coalition that welcomed development, vociferously argued against site and height plans out of character with the neighborhood, worked hard to be proactive and constructive, holding weekly planning meetings and holding numerous public meetings open to all, was at best discounted.

Thank you for your consideration of these recommendations.

Jeanne Nathan
2326 Esplanade Avenue
and 4725 Dauphine Street
New Orleans, Louisiana 70119
P: 504.218.4807
C: 917.232.4522



February 13, 2016

Greetings,

Bunny Friend Neighborhood Association support having a Neighborhood Participation Program. This program has given our community a chance to speak on what is good for our community and what is not.

We do agree that NPP need some changes that will help developer understand and follow the process.

1. Contact Neighborhood Association requesting to be put on the agenda to show what is being proposed inside of the community.
2. Meetings should be held in an enclosed building.
3. Developer should not be allowed to schedule an NPP meeting on a street corner and ask for signatures.
4. Applicate should have another meeting with residents after city planning commission and before they go to city council.
5. Notification should be sent out that the developer has submitted his application.
6. Invitation should be sent in writing at least 10 days prior to the meeting but no more than 30 days in advance. This will give residents within the 300-600 ft. radius enough time to get letters in time to participate.

Thank you in advance,
Bunny Friend Neighborhood Assoc.

Katherine Prevost

Katherine Prevost-President

P.O. Box 770167, New Orleans, LA 70117 • Cell: 702-501-8275 • Tel: 504-943-0846 • BunnyFriendAssoc@gmail.com

From: Paul Cramer
Sent: Monday, February 15, 2016 4:56 PM
To: Valerie A. McMillan; Kelly G. Butler
Subject: FW: NPP study

Please save and post.

From: CPCinfo
Sent: Monday, February 15, 2016 4:57 PM
To: Paul Cramer
Subject: FW: NPP study

Not sure who to send this to. -Stephen

From: Ann Woodruff / Jack Stewart [<mailto:gosmerwoodruff@hotmail.com>]
Sent: Monday, February 15, 2016 4:53 PM
To: CPCinfo
Cc: Ann Woodruff/ Jack Stewart
Subject: NPP study

To Mr. Robert Rivers, Executive Director, City Planning Commission:

The Board of the Lafayette Square Association would like to submit the following written comments regarding the NPP study.

- 1) Neighbors should receive advance notice of the NPP meeting a minimum of 10 working days prior to the meeting.
- 2) Meetings should be scheduled at optimal and convenient times for neighbors to attend.
- 3) Meetings should be held at nearby, appropriate venues with appropriate conditions (such as heating and air-conditioning, seating, etc.) providing a comfortable space for participants.
- 4) There should be accurate sign in sheets with contact information.
- 5) Meetings should include a presentation and public comment / question period conducive to participation.
- 6) Meetings should be monitored and reports made by a neutral, independent party.
- 7) Reports should include all questions and comments.
- 8) The entire project should be addressed at the presentation, including variances.

9) Neighbors and attendees must be notified of any changes in design that occur after the NPP meeting.

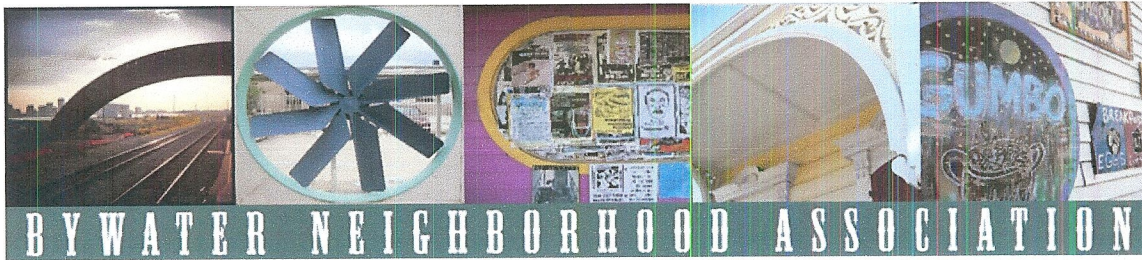
10) Another meeting should be required to address issues that could not be addressed at the initial meeting or changes in design.

11) Copies of the report should be sent to attendees.

I can be reached at (504) 202-0578 should you have any questions.

Sincerely,

Jack Stewart, President
Lafayette Square Association



P.O. Box 3191, New Orleans, Louisiana 70177

February 15, 2016

Via E-Mail

Robert D. Rivers, Executive Director
New Orleans City Planning Commission
1300 Perdido St., 7th floor
New Orleans, LA 70112

Re: Modifications to the Neighborhood Participation Program

Dear Mr. Rivers:

The Bywater Neighborhood Association (“BNA”) hereby offers suggestions for modification of the Neighborhood Participation Program (“NPP”) that will enhance early notification and the dissemination of information related to development projects. Specifically, the BNA recommends that the NPP be amended to: 1) provide additional days for notice of the initial NPP meeting (from five (5) to fourteen (14)); 2) provide for notice to neighborhood associations via e-mail; and 3) add a post-application meeting at which interested parties will be apprised of changes made to the proposal that are reflected in the application and a report supplementing the Project NPP.

Reasons for the recommended changes:

- 1) Currently the NPP allows a five-day notice of an NPP meeting. Because applicants most often notify interested parties via U.S. mail, frequently those parties do not receive sufficient notice of the meeting to be able to attend. In the case of the BNA, a notice of an NPP meeting sent by U.S. mail to our P.O. box can arrive after the meeting date. Thus, the BNA recommends a fourteen-day notice period.
- 2) Applicants receive a list of persons and organizations to be notified of proposals from the City Planning Commission (“CPC”). Neighborhood organizations interested in land-use and zoning actions in their neighborhoods have provided the CPC with information on how to contact them. This information frequently includes e-mail addresses. These organizations will notify their constituents of land-use and zoning actions that might affect them so that they might attend the NPP meetings. If the organizations get the notice in a timely manner, they can give adequate notice of the meeting. Thus, the BNA recommends that neighborhood organizations be sent notifications via e-mail when e-mail addresses are available.
- 3) Currently the NPP requires a meeting with interested parties only prior to the applicant’s submitting the application. We have found that applicants frequently change


aspects of their proposal as a result of meeting with interested parties. While the actual applications are posted on the City's website, the ordinary citizen will have difficulty locating them. If interested parties do locate the application, they must then compare what they were told in the NPP meeting with what was submitted. This is a complicated and difficult task. What results is that comments filed by interested parties on an application may reflect the pre-application proposal, not the application actually filed. A case in point is the application of Mazant, LLC, and John J. Cummings, III, for a conditional use to permit a hotel/hostel over 10,000 square feet in floor area in an HMC-2 Historic Marigny/Tremé/Bywater Commercial District at 600-626 Mazant Street, 4024-4030 Royal Street and 4019 Chartres Street – Zoning Docket 17/16. Ted Kelso, the proposed developer of the property, had several meetings with interested parties, including the BNA's zoning committee. As a result of those meetings, significant changes were made to the application before it was submitted. Because he presented his revised proposal to our general membership, the BNA's comments on the proposal are based on the actual proposal presented in his application.

When the comments of interested parties are based on the pre-application proposal and changes have been made to the proposal before filing, in many instances, concerns raised are no longer valid. Thus, a post-application meeting at which interested parties are apprised of changes made to the proposal that are reflected in the application can help streamline the process and expedite the hearing on the matter.

The BNA recommends that, for the post-application meeting, applicants notify only those persons who attended previous NPP meetings and provided contact information and neighborhood organizations notified of the pre-application meeting. Notification can be by e-mail, phone, or U.S. mail. In addition, the BNA recommends that applicants submit a report supplementing their Project NPP.

Attached is the text of Article 4, Section 4.2.D.2, Pre-Application Meeting and Project Neighborhood Participation Program, marked-up to reflect the recommended changes. Deletions are in strikethrough; additions are in red. New section 4.2.D.3, Post-Application Meeting and Project Neighborhood Participation Program Supplementation, is in red. Corresponding changes should be made to Section 4.3, Conditional Uses.

Respectfully submitted,


Board of Directors
Bywater Neighborhood Association
Donna Berg, Chair

Attachment

cc: Councilmember Nadine Ramsey

BYWATER NEIGHBORHOOD ASSOCIATION'S RECOMMENDED CHANGES TO NPP PROGRAM

4.2 ZONING TEXT AND MAP AMENDMENTS

4.2.D.2 PRE-APPLICATION MEETING AND PROJECT NEIGHBORHOOD PARTICIPATION PROGRAM

All applications for zoning map amendments shall include a Project Neighborhood Participation Program (Project NPP). A Project NPP is not required for any application for a text amendment or for any zoning amendment initiated by the City Council. The City Council may require the party of interest to undergo the NPP process prior to the application's review by the City Planning Commission through a statement in the motion initiating the request.

- a. Applicants shall first meet with the staff of the City Planning Commission to become familiar with the procedure and approval standards for zoning amendments and to obtain guidance on the requirements of the Project NPP.
- b. The Project NPP shall include the following information:
 - i. A brief description of the proposal.
 - ii. An outlined area map and a contact list for notifying the individuals and entities identified in Section 3.3.
 - iii. A general description of how parties on the contact list will receive information on the project, including a statement as to which public notification techniques will be used for the project. **Neighborhood organizations for which e-mail addresses are provided should be notified via e-mail.**
 - iv. A general description of how parties on the contact list will be informed of any changes or amendments to the proposed project after the applicant's initial contact.
 - v. A statement as to how those impacted by the proposal will be provided an opportunity to discuss the request if issues or questions should continue or suddenly arise.
- c. The applicant shall provide the Project NPP and notice of an opportunity for interested parties to attend a meeting to discuss the proposed application not less than ~~five (5)~~ **fourteen (14)** nor more than thirty (30) days after the date on which the applicant provides notification to the parties on the contact list. For the purposes of this section, meetings may be held in a physical location or via other means that may be agreed upon by the applicant and the interested parties. The notice provided in accordance with this section shall include a brief description of the request and shall indicate the existing zoning classification of the subject property and the zoning classification the applicant intends to request.
- d. The applicant shall submit a Project NPP report with the application. The report shall provide the following information:
 - i. The names of the individuals and entities that were notified and the total number of number of people that participated in the process.
 - ii. A list of the concerns, issues, and problems expressed by the participants.

iii. A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them. If the concern, issue, or problem is not being addressed, the applicant shall state the reasons.

iv. Copies of letters, affidavits, meeting invitations, newsletters, publications, sign-in sheets, and petitions received in support of or in opposition to the proposed project, and any other materials pertaining to the notification process.

v. The date, time, and location of all meetings held with interested parties or a statement indicating the reasons if no meeting was held. No information pertaining to any meeting held more than ninety (90) days prior to the submittal of the application shall be accepted as part of the Project NPP report, except where subsequent meetings with interested parties have occurred within the ninety (90) days preceding the submittal of the Project NPP report.

4.2.D.3 POST-APPLICATION MEETING AND PROJECT NEIGHBORHOOD PARTICIPATION PROGRAM SUPPLEMENTATION

After the application has been filed, the applicant shall provide the attendees at the pre-application Project NPP meeting who provided contact information and the neighborhood associations previously notified a notice of an opportunity for those parties to attend a meeting to discuss the application as filed not less than fourteen (14) nor more than thirty (30) days after the date on which the applicant submitted its application. For the purposes of this section, meetings may be held in a physical location or via other means that may be agreed upon by the applicant and the interested parties. The notice provided in accordance with this section shall include a brief description of any changes made to the proposal subsequent to the initial Project NPP meeting that are reflected in the application as submitted.

The applicant shall supplement its Project NPP report with a report of the meeting held under Section 4.2.D.3. The report shall provide the following information:

- a. The names of the individuals and entities that were notified and the total number of number of people that participated in the process.
- b. A list of the concerns, issues, and problems expressed by the participants.
- c. A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them. If the concern, issue, or problem is not being addressed, the applicant shall state the reasons.
- d. Copies of letters, affidavits, meeting invitations, newsletters, publications, sign-in sheets, and petitions received in support of or in opposition to the proposed project, and any other materials pertaining to the notification process.
- e. The date, time, and location of the meeting held with interested parties or a statement indicating the reasons, if no meeting was held.

From: New Orleans Rebuilding Emails <neworleanscandles@gmail.com>
Sent: Tuesday, December 08, 2015 4:58 PM
To: CPCinfo
Subject: Neighborhood Participation Plan feedback

The NPP is too onerous. It has people commenting on things which barely affect them in any way and shifts the burdens to those looking to accomplish things in this city. I have received two cards on projects and have to ask why I should worry about my neighbors backyard. It is their backyard to worry about. All this is likely to accomplish is creating bad blood between neighbors who are too close into each others business.

And we haven't heard about it yet but I am fairly convinced that this process will eventually lead to neighbors extorting other neighbors and people and developers who simply wish to build a future in New Orleans.

Also, the fact that this requirement sits outside the application process is troublesome. because it means unnecessary delays in projects. I suspect that the overall feedback hasn't lead in any appreciable way to better projects in New Orleans and may have even discouraged the growth we need in our city.

To get a true assessment of the program the staff should send surveys to those who were forced to undergo it. There will always be opposition to change, and that has held New Orleans back for decades. We don't need to give those who oppose change a bigger soapbox.

Anthony Favre

--

It's better to light a candle
Than curse the darkness..

[h](#)

From: M S Redding <msr3090@yahoo.com>
Sent: Friday, January 08, 2016 7:42 AM
To: CPCinfo
Subject: NPP comments

In my haste to get the letter to the city, I neglected to include the short time line that ICNA and lower garden district association was given between the time the developer held his NPP meeting and the time that the association had to deliver written comments to city planning. We were given about 4 days to report the project to the board after attending the NPP meeting, recommend a position, draft a letter, and get the board to vote on the acceptance of the letter or position. This is quite a lot to do for an organization which has paid employees, much less a volunteer organization. Again, I do not fault the staff, but the process. Jim Voltz, president of lower garden district, said as much when we were in the meeting with the staff regarding 609 Jackson. I am sorry for the post script addition to my previous letter.

Mark s Redding

City planning commission,
1300 period st
NOLA, 70112

Dear city planning,

Regretfully, I was not able to attend the recent meeting on NPP. These comments are in attempt to offer some feedback to improve this process.

I'm writing on behalf of myself and the Irish Channel neighborhood associations recent interaction with city planning and see counsel regarding the zoning/rezoning 609 Jackson Ave., Sarah Mayo hospital. To begin with, my experiences working with the city planning staff and members of city Council on their staff have mostly been favorable. Everyone is thorough, helpful, and professional. My comment more directed at the process.

Initially, The Irish Channel neighborhood association was notified about the NPP neighborhood meeting approximately four days before a early morning meeting would be available by the developers of Sarah Mayo to the public. It was very difficult to rally any meeting or comprehensive neighborhood position ahead of time. Normally we have some idea of the plans for such to aid in our understanding of the matter at hand. It had to be requested for this case, due to the brevity of time for us to review. I understand the importance of having an architect or developer explain the project firsthand, but most of us have worked in the industry ourselves for some time, and are very familiar with the processes. It's generally difficult to give any developer a feeling for the neighborhoods position at the initial meeting, although they are almost always trying to request a position that we may have on the project. If available, some sort of visual aid, plans, or permit for such would help us speed along the developer's timeline. Additionally, a 4

day notice seems woefully inadequate for us to get days off from work or have a board meeting or agenda on the matter.

I understand the holidays come into the timeline of this next item, but our notification was, again, inadequate. This past Monday ICNA was notified by council woman Cantrell that she plan to offer up a motion to approve the developers plan for 211 units with some provisions for low income consideration. While I applaud her motion for low income units, The timeline that we were notified in order for ICNA to find out our consensus on this new turn of events, write a letter to city Council, adjuster schedules for half a day in city Council only permitted a rushed letter, and little attendance at the city council meeting. For posterity sake, I would like to reiterate that both members from the Irish Channel neighborhood association were in favor of an increased numbers of low income housing in this development, than proposed by councilwoman Cantrell supported. I, personally, thought that the decrease in average unit square footage was shortsighted. It would seem that some measure it needs to be made for the amount of time neighborhoods or given for responses in such matters as this. We essentially had two days. I will remind everyone that the Irish only that association is a volunteer organization.

Both these matters seem to be a consideration and timeline and notification. I would hope that some major is made to account for our problems with the incredibly short Carline that is sometimes permitted in regards to neighborhood trying to participate with government. I look forward to any comments.

Mark s Redding.

sent from earth



Alembic Community Development
Alliance for Affordable Energy
A Shared Initiative, Inc.
Associated Neighborhood Development
Broadmoor Improvement Association
Capital One
Center for Planning Excellence
Committee for a Better New Orleans
Crescent Care
Crescent City Community Land Trust
The Data Center
Enterprise Community Partners
Finance Authority of New Orleans
First NBC Bank
Foundation for Louisiana
GCR Inc.
Global Green USA
Greater New Orleans Foundation
Green Coast Enterprises
Greater New Orleans Fair Housing Action Center
Greater New Orleans, Inc.
Gulf Coast Housing Partnership
Harmony Neighborhood Development
Healthy Start New Orleans
Housing Authority of New Orleans
Iberia Bank
Jericho Road Episcopal Housing Initiative
Jerusalem Economic Development Corp.
JPMorgan Chase Bank
LA Association of Affordable Housing Providers
Louisiana Appleseed
Louisiana Association of Nonprofit Organizations
Louisiana Homebuyer Education Collaborative
Louisiana Housing Alliance
Louisiana Housing Corporation
Lowermine.org
Lower 9th Ward Homeownership Association
Lower 9th Ward NENA
Make It Right
Neighborhood Assistance Corporation of
America
Neighborhood Development Foundation
Neighborhood Housing Services
NEWCITY
New Orleans Area Habitat for Humanity
New Orleans Redevelopment Authority
NO/AIDS Task Force
Northshore Housing Initiative
Office of Housing Policy & Community
Development
Operation Comeback
Perez, APC
Pontchartrain Park CDC
Practitioners Leveraging Assets for Community
Engagement
Preservation Resource Center
Project Home Again
Project Homecoming
Providence Community Housing
Puentes New Orleans
Rebuilding Together New Orleans
Redmellon
Renaissance Neighborhood Development Corp.
Renaissance Property Group
Service Providers and Professionals Association
Southern United Neighborhoods
St. Bernard Project
Tulane/Canal Neighborhood Development Corp.
UNITY of Greater New Orleans
Urban Focus
U.S. Department of Housing and Urban
Development
Volunteers of America
Wells Fargo
Whitney Bank
Whodata.org

15 February 2015

City of New Orleans
City Planning Commission
1300 Perdido Street, 7th Floor
New Orleans, LA 70112

To Whom It May Concern,

The Greater New Orleans Housing Alliance (GNOHA), is a collaborative of housing builders and community development corporations advocating for the preservation and production of affordable housing within the New Orleans area.

GNOHA is proud that its developer organizations are leaders in ensuring high levels of engagement within the communities they work. Similarly, GNOHA is responsible for overseeing *HousingNOLA*, a community-led initiative that has set into motion a 10 year housing plan for the City of New Orleans. *HousingNOLA*'s Community Engagement model has been recognized throughout the country as an exemplary mechanism for ensuring that community voices are involved at each step of the planning processes.

In this spirit of effective community engagement, GNOHA writes today to encourage a few structural changes to the city's Neighborhood Participation Program (NPP). We have thoroughly reviewed the comprehensive survey results and recommendations already provided to you by the Committee for a Better New Orleans (CBNO) and fully endorse their comments. We have copied their recommendations below.

GNOHA supports the spirit and intent with which the NPP is purposed, and we stress that CBNO's recommendations will tighten the Program to make it more accessible and functional.

Sincerely,

Andreanecia M. Morris

Chair, GNOHA Board of Governors

Committee for a Better New Orleans'

Recommendations for the Neighborhood Participation Program

The first set of recommendations are suggested for immediate implementation, as they are based on comments heard repeatedly. The second set are also highly recommended, but could perhaps merit further conversation and consideration. The third set are every bit as important, but are broader in scope than just the NPP process.

A. Recommended for Immediate Implementation

I. Increase the minimum notification time for NPP meetings from five business days to at least ten business days, if not two calendar weeks.

II. Establish a requirement that the NPP meeting location be not more than one mile from the project location, unless the NPP meeting is conducted as part of the regular meeting of the impacted neighborhood association and the location of that meeting is greater than one mile from the project location.

III. Similarly, establish a requirement that the NPP meeting time not be during the normal workday, as workday meetings are simply too difficult for many residents to participate.

IV. Require the use of sign-in sheets at NPP meetings, and require applicants to provide copies of those sign-in sheets to CPC staff as part of their NPP packets; make that very clear during pre-process meetings with applicants.

V. Amend the section defining which neighborhood associations must be notified to include neighborhood associations whose boundaries fall within the established notification distance from the project location.

VI. Expand the meeting notification methodologies to include emailing the neighborhood associations.

VII. Remove the exemption from the NPP process for zoning amendments related to specific properties and projects that are initiated by the City Council. While this did not come up in the survey, it is an unnecessary and unfair loophole that is rife for abuse in the future by an unscrupulous Councilmember. There is simply no justification for this exemption; all projects and applicants should be treated equally.

B. Recommendations (for discussion)

I. Include a requirement that the meeting location be handicapped-accessible, possibly excepting regular neighborhood association meeting locations.

II. Establish a procedure through which NPP meeting participants will be automatically notified as the project/application in question proceeds through the city approval processes (i.e., hearing is scheduled at CPC, etc.).

III. Specify materials that will be made available to participants at NPP meetings (site plans, etc.) and the minimum number of copies that must be brought to the meeting by the applicant.

IV. Include in these materials instructions for participants to submit comments directly to the Planning Commission subsequent to the meeting.

V. Provide more specificity on how the meeting is to be conducted (i.e., minimum time that must be allotted for public comments, information that applicants must present).

VI. Expand the geographic area – the radius from the project location – for which notification of residents is required. Also, perhaps some sort of stickers could be produced to go on NPP notification envelopes identifying them as such.

VII. Refine the City Planning website to make it as easy as possible for residents to track the progress of an application as it continues through the process.

VIII. Review the pre-meeting materials provided to applicants, and the parameters of the pre-meeting conversation with CPC staff, to make sure they are as clear as possible.

IX. Create a centralized database of NPP meetings, including those that have occurred and those that have been scheduled, and make it accessible to the public. This would greatly facilitate the community's ability to follow the overall NPP process.

C. Broader-scale Recommendations

I. Many of the comments from both applicants and residents indicate that a stronger support structure is needed in order for the NPP to reach its full potential. CBNO submitted a comprehensive Citizen Participation Program (CPP) model to City Planning in 2011 (the NPP is based closely on the Early Notification System component of this model). Many cities all over the United States have a CPP, and it provides most if not all of the support structure requests found in the survey responses. These would range from having a city staff member present at all NPP meetings to improving the efficiency and effectiveness of notification procedures, from providing more information related to specific applications to informing residents about zoning laws in general. Until residents have access to the information and capacity-building they need, the NPP will be less than fully productive. Until such a structure exists that can ensure that notification of NPP meetings is comprehensive, applicants will still be vulnerable to complaints and objections later in the process. The NPP is an excellent first step, but it will remain only a first step until more progress is made on establishing a full-scale CPP.

II. In the interim, provide clear, accessible trainings for residents and neighborhoods on zoning laws. Offer these to neighborhood associations, community groups, churches, etc.

III. Also in the interim, expand a very similar NPP process to other departments and agencies whose decisions have direct impact on residents and neighborhoods, and could thus benefit from community input. Obvious examples would include the Historic District Landmarks Commission, the Department of Public Works and the Sewerage and Water Board.

IV. Update the city's official neighborhood boundary map. The present official map dates from the early 1970s, and has very little connection to perception and reality on the ground. Confusion over neighborhood boundaries as they pertain to the NPP is only one of many reasons this is essential. CBNO has developed a methodology for doing this, and piloted it successfully in two city planning districts.

ENONAC SUGGESTED CHANGES OR AMENDMENTS FOR NPP PROCESS

****suggested changes are in 'red'**

NPP CHECKLIST FOR APPLICANTS (To Be Submitted with Application)

Step 1: Meet with the City Planning Commission staff. Provide the size of your site and the floor area of any existing or planned structures. The staff will verify the size(s) and will provide the contact list information highlighted in grey. This information constitutes your Project Neighborhood participation Program contact list.

_____ Site area: _____ sq. ft. (to be provided by applicant and verified by staff)

_____ Floor Area of all structures (existing and/or planned): _____ sq. ft.
(to be provided by applicant and verified by staff)

Radius for notification is:

_____ ~~_____~~ **minimum** 300 feet **(when site and floor area are less than 25,000 sq. ft.)**

_____ ~~_____~~ **600 feet (when either the site or floor area is greater than or equal to 25,000 sq. ft.)**

_____ Outlined area map of notification radius (printout of appropriate buffer showing lot lines, contact names and addresses)

_____ Owner(s) of record of subject property and all properties within notification radius (from Assessor's office)

_____ Addresses of subject property and all properties within notification radius (separate list with property addresses may be addressed to "Occupant")

_____ All neighborhood associations within boundaries within which any portion of the subject property is located. (from CPC registration forms via spreadsheet)

Source: Comprehensive Zoning Ordinance Sections 16.9.2.1.a and 16.9.2.4.b.(1) through 16.9.2.4.b.(4)

Step 2: Write a letter to the community. Information to be provided in the letter shall include:

_____ Type of land use application (zoning change, conditional use, parking variance, etc.).

_____ A brief description of the project **to include the specifications on the project, how the project will be funded, economic benefit to the community, job projections, projected impact the community (i.e., environmental impact, etc.)**

_____ Your contact information or contact information for a representative.

_____ Estimated start and end dates for any construction and estimated opening date for any non-residential component of the project.

_____ Indicate which techniques are being used to notify the contact list (U.S.P.S., hand delivery, etc.). **In addition to the developer notification requirement, the City Planning Commission (CPC) staff would be required to notify contact list by certified mail. The cost would be determined by the numbers on the contact list and the cost would be made a part of the application fee.**

_____ Date, time, and location of the neighborhood meeting (Consult the Neighborhood Engagement Office at 658-4980 for help in finding a location and planning your neighborhood meeting(s)).

_____ State how people and associations on the contact list will be informed of any changes to the proposal after the initial contact (e.g., people who sign in at the meeting will receive email updates, a project website will be kept up to date with changes, etc.).

_____ If the request involves an existing or planned structure, attach a project site plan.

Source: Comprehensive Zoning Ordinance Sections 16.9.2.1.b.(1) through 16.9.2.1.b.(5)

Step 3: Hold a Neighborhood Meeting(s):

_____ Meeting must be held between 5 and 30 days after the date the notice of the meeting is provided to the contact list. **Meeting location must be within the notification or project site area. Time and location of meeting must be conducive to a majority of those affected residents to be in attendance, not necessarily working hours.** ~~Be sure to keep a sign-in sheet as well as an accurate record of all comments, written and oral.~~ **A formalized sign-in sheet should be provided that would maintain an accurate record of all comments, both written and oral. This formalized sign-in sheet must contain name, address, phone #, email address; so it can be determined if the person lives in the affected area of the project.**

_____ Application to the CPC/BZA must be submitted within 90 days of the meeting (or most recent meeting if additional meetings were held).

Source: Comprehensive Zoning Ordinance Sections 16.9.2.1.c and 16.9.2.1.d.(5)

Step 4: Prepare a summary Report that contains the following:

_____ The dates, times and locations of all neighborhood meetings.

_____ The total number of people that participated in the process (i.e., the number of people who attended all meetings, as well as any others who made contact via other means, as evident from sign-in sheets, email, etc.)

_____ A list of the concerns, issues, and problems expressed by the participants.

_____ A statement as to how each concern, issue, and problem is addressed and how the applicant intends to continue to address them. If a concern, issue, or problem is not being addressed, the report should include the reasons.

_____ Copies of letters, affidavits, meeting invitations, newsletters, publications, sign-in sheets, and petitions received in support of or against the project, as well as any other relevant materials.

_____ The names of the individuals and associations that were noticed and the method of notice (at a minimum, this must include all names on the contact list provided by the CPC staff)

Source: Comprehensive Zoning Ordinance Sections 16.9.2.1.d.(1) through 16.9.2.1.d.(5)

Step 5: Submit your land use application. The summary report and attachments must be included with the application. Also be sure to obtain all other required items for your application before attempting to submit it to the City Planning Commission staff. This should include application forms, photographs, surveys, plans, elevations, fees, etc., depending on the type of application.

****PLEASE NOTE****

THE INFORMATION AND/OR ACTION FOR EACH CHECKBOX MUST BE COMPLETED. ANY APPLICATION WITH MISSING INFORMATION WILL NOT BE ACCEPTED BY THE CITY PLANNING COMMISSION STAFF.