

Neighborhood Participation Program (NPP) 2016 Study



Prepared for the City Planning Commission

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I. General Information

What is the purpose of this study?

The Neighborhood Participation Program (NPP) has been in effect since September, 2013. Hundreds of cases have complied with the program requirements. As the City Planning Commission developed the final draft of the new Comprehensive Zoning Ordinance (CZO), a number of community members suggested changes to the NPP based on issues they have found with certain aspects of the requirements. The City Planning Commission promised to revisit the NPP once the new CZO was adopted. This study is intended to address those issues.

What is the Neighborhood Participation Program?

The Neighborhood Participation Program, or NPP, establishes a process to enhance notification and opportunities for property owners, neighbors and neighborhood organizations to participate in land use decisions that affect them. The goal of the NPP process is to improve notice and communications with neighbors and interested parties about land use applications. The NPP consists of requirements within the Comprehensive Zoning Ordinance, the City Planning Commission's Administrative Rules, Policies, and Procedures, as well as other tools that provide citizens with information and enhance the capacity to advocate on their own behalf. Zoning changes, conditional uses, planned developments, and variances are land use actions that are subject to the Comprehensive Zoning Ordinance NPP requirements. Other land use actions such as Master Plan amendments are governed by the City Planning Commission's Administrative Rules, Policies, and Procedures. The primary goal of the NPP is early notice and understanding of an application that will go through a process for consideration by a public body. The NPP does not give the neighborhood participants veto power.

Land use actions subject to the NPP:

- Zoning map amendment – This is a change to the zoning of a property or properties as it appears on the City's official zoning maps.
- Conditional use – Each zoning district includes a list of land uses classified as “conditional,” which means that the use may be allowed, but it is considered in terms of its impact upon neighboring land and the public need for the particular use. A Conditional Use is subject to the review and approval of the City Planning Commission and the City Council. If approved, conditional uses must operate under certain conditions – imposed as provisos - to lessen impacts on neighboring properties and surrounding neighborhoods.
- Variance or waiver – The purpose of the variance procedure is to afford an applicant relief from the requirements of the letter of the Comprehensive Zoning Ordinance when unnecessary hardship or practical difficulty exists.

- Planned Development Districts –

The purpose of a planned development is to:

1. Encourage the adaptive reuse of existing structures in a manner that promotes sustainable development and design compatible with the character of the surrounding area and adjoining properties.
 2. Encourage the master planning of development on larger tracts of land to promote site-specific flexibility and to manage the impact of these developments on the provision of City services and infrastructure.
 3. Encourage creative and innovative approaches to the use of land that results in more sustainable development and design than might otherwise be accomplished under the strict application of this Ordinance.
 4. Provide for the efficient use of land to preserve natural functions and to facilitate a more effective arrangement of land uses, buildings, circulation systems and utilities.
 5. Preserve natural amenities of the land through the provision and maintenance of conservation areas and usable open spaces.
 6. Facilitate the implementation of the Master Plan.
- Master Plan Map amendment –This is a proposed change to the land use designation for a site on the Future Land Use Map, which is part of the City’s Master Plan. The Future Land Use Map designates a specific land use category for every site in the city. The City Charter requires all land use actions to be consistent with the Master Plan. Map amendment applications can only be submitted during time periods when City Planning has an open application period. The NPP procedures for a Master Plan map amendment are governed by the City Planning Commission’s Administrative Rules, Policies, and Procedures, which then refer to the regulations of the Comprehensive Zoning Ordinance. NPP procedures for Master Plan amendments should be clarified after the adoption of any new procedures of the Comprehensive Zoning Ordinance.
 - Property Disposition with Street Closure

Land use action types not subject to the NPP pre-application neighborhood meeting requirement:

- Zoning text amendment – This is an amendment to the text of the Comprehensive Zoning Ordinance.
- Overlay zoning districts – Overlay districts are designed to require special controls in certain areas of the City that have special characteristics or special development issues.

Overlay districts supplement the regulations of the base zoning district and may further restrict or permit certain uses. Overlay districts may also provide additional design standards and a process for design review.

- Temporary Prohibitions – The City’s Home Rule Charter allows the City to impose temporary prohibitions on zoning where necessary to protect the public health, safety, or welfare for a temporary period. The two types of prohibitions generally used in the zoning context are interim zoning districts and moratoria. These temporary prohibitions are intended to provide temporary zoning regulations within the boundaries of designated areas, notwithstanding existing zoning applicable to the area, pending a review of the appropriateness of applicable provisions of the zoning ordinance or development of new regulations by the City Planning Commission, and are intended to prevent the establishment of uses that are incompatible with the temporary prohibition for the legal duration of the prohibition.
- Variance applications involving a single- or two-family dwelling
- Subdivision application – This process is the division of land into lots, including changes to existing lot lines. In a previous study, the City Planning Commission recommended that major subdivision regulations incorporate NPP requirements; this will be considered as part of an ongoing 2016 review of the Subdivision Regulations.
- City Council motions – The regulations of the Comprehensive Zoning Ordinance do not require the pre-application NPP process for zoning map amendments, conditional use permits, and planned development districts if introduced and passed by City Council motion.
- Land use actions under the jurisdiction of other agencies – The Historic District Landmarks Commission, the Vieux Carre Commission, and the Neighborhood Conservation District Advisory Committee review aspects of land use actions. However, NPP requirements for these actions are not under the purview of the City Planning Commission.

II. Goals of the Neighborhood Participation Program 2016 Study

The City Planning Commission staff developed the following goals and objectives to guide the Neighborhood Participation Program Study and its recommendations:

1. Assess the effectiveness of current NPP regulations and practices.
2. Clarify the roles of the City Planning Commission, applicants, and participants in the NPP process.
3. Ensure NPP meeting notices are timely and informative.
4. Provide interested parties with the tools and resources to increase their access to land use information, to improve their understanding of the development and to follow the public processes.
5. Provide guidance on how to conduct a valid NPP neighborhood meeting.
6. Develop text to include in the Comprehensive Zoning Ordinance that will improve the Neighborhood Participation Program.

III. Background Information

A. Legislative Action and Studies

City Charter

Section 5-411, Neighborhood Participation, of the Home Rule Charter states that 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 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.” Following a vote of the citizens in 2008, this section of the Home Rule Charter became effective in May 2010.

The Plan for the 21st Century: New Orleans 2030

The Plan for the 21st Century: New Orleans 2030, commonly known as the Master Plan, was adopted by the City Council in 2010. The Master Plan recommends a “more formal and effective neighborhood participation system that addresses the needs of all neighborhoods.”

Neighborhood Participation Program for Land Use Actions Study

The City Planning Commission adopted a study dated July 30, 2012 that includes a series of specific recommendations to improve notice and communication between parties for land use actions. Changes previously made to the Comprehensive Zoning Ordinance and the CPC’s Administrative Rules, Policies, and Procedures were based on the Study recommendations.

Comprehensive Zoning Ordinance

The City Council adopted Ordinance No. 25,450 M.C.S. on August 23, 2013 amending the Comprehensive Zoning Ordinance No. 4264 M.C.S. Article 16, Section 16.9.2 “Notice Provisions” to include the Neighborhood Participation Program for Land Use Actions notification provisions. Without significant changes, these provisions were carried into the new Comprehensive Zoning Ordinance, which became effective on August 12, 2015.

CPC Administrative Rules, Policies & Procedures

In 2014, the CPC amended its Rules to apply NPP requirements to Master Plan amendments. Master Plan Future Land Use Map amendment applications generally follow the same NPP requirements as for zoning map amendments.

B. Administrative Actions

In addition to requirements mandated by the Comprehensive Zoning Ordinance and the CPC

Rules, the CPC and the City have taken a number of steps to improve public notice, access to information, and the ability of interested parties to understand land use regulations and advocate on their own behalf. Each of these administrative actions is described below.

Earlier release of CPC staff reports – Starting in late 2012, the CPC began releasing preliminary staff reports a full week before the public hearing to allow more time for public review prior to the CPC hearing.

NoticeMe electronic public notice system – NoticeMe is an electronic notification system that emails citizens to inform them of opportunities for public input on proposed land use changes. NoticeMe is not part of the City’s required public notice system, but it supplements other forms of notice. NoticeMe offers a way for interested parties to stay informed for land use proposals in a selected area(s). Once registered, the email address will receive notices of when a public hearing is scheduled and when a report is ready. The user will also be notified of zoning interpretations, zoning verifications, and the action of the City Planning Commission or Board of Zoning Adjustments. To register, visit www.noticeme.nola.gov.

One Stop App Website – the One Stop App website allows the user to research what has been permitted, licensed, or cited at a particular location or during a user defined time frame. To use this app, visit www.onestopapp.nola.gov/search.aspx.

Property Viewer – 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 (including Conditional Uses, Exceptional Uses, and Planned Development Districts.) Links are provided that can take the viewer to the applicable section of the Comprehensive Zoning Ordinance and assessor records. To use the Property Viewer, visit www.property.nola.gov.

IV. NPP Regulations In The Comprehensive Zoning Ordinance

The NPP regulations in the Comprehensive Zoning Ordinance involve three main parts: (1) the pre-application phase when the applicant notifies and meets with neighbors; (2) the post-application phase when notices of the CPC public hearing are published, posted, and mailed and staff reports are prepared; and (3) the City Planning Commission hearing and recommendation. The current regulations are copied within the Appendix of this study along with recommended new text and deletions.

V. Assessment of the Neighborhood Participation Program

Since more than two years has passed since the NPP became effective, there are a sufficient number of cases on which to evaluate and provide feedback. Applicants and meeting attendees are the parties that have participated in the process and their feedback should be a part of formulating recommendations to further improve public notice, the NPP pre-application meeting experience, and the understanding of the public on land use issues.

When used in a constructive spirit, the pre-application NPP meeting provides an opportunity to engage the public and address concerns at an early stage of project planning. A professional attitude can make a positive first impression with members of the community attending the meeting. Meeting attendees may also be a broader representation of the community than those who will attend the CPC's public hearing. The CPC has seen zoning dockets quickly approved when the applicant has approached the NPP constructively and addressed concerns in a professional manner.

Other applicants meet the minimum requirements of the pre-application NPP, merely going through the motions. In these cases, the applicants may make a poor first impression and hurt their cause by not being prepared to engage the community. In these cases, neighbors still benefit from knowing about the project earlier and they are able to formulate their positions well in advance of the City Planning Commission's formal public hearing. Further guidance to applicants may help them to be better prepared for the NPP meetings. Additionally, further expanding neighbors' understanding of the process and online tools could build their capacity to engage beyond the pre-application NPP meeting.

The CPC has received numerous comments from the public as part of this NPP Study. The public directly commented at a December 8, 2015 hearing of the City Planning Commission's Rules, Policies, Procedures and Neighborhood Relations Committee. The staff met with several organizations' representatives including the Committee for a Better New Orleans (CBNO), the Public Law Center, the Vieux Carre Property Owners, Residents and Associates, and French Quarter Citizens. CBNO conducted a survey of applicants and NPP pre-application neighborhood meeting participants. Generally, the survey found that both applicants and meeting participants appreciate the structure of the NPP requirements, but each have suggestions on ways to improve the process.

In evaluating the feasibility of certain changes, the CPC staff consulted with other City offices including Information Technology and Innovation (ITI) and the Neighborhood Engagement Office (NEO).

The suggestions for improvement have been included in the Study's next section along with an analysis and recommendation for each. The CPC staff divided the comments under the following headings: (A) Notification of NPP Meetings; (B) Meeting Space; (C) Access to NPP Data; (D) NPP Meeting Procedures; (E) Applications; and (F) Neighborhood Organizations.

VI. Issues, Analysis and Recommendations

A. *Notification of Neighborhood Participation (NPP) Meetings*

- 1. Require that NPP notices be sent 14 calendar days before scheduled meetings instead of the current requirement of 5 days.**

Analysis

Residents and neighborhood groups have expressed concern that 5 days does not provide ample notice of NPP meetings. Some residents state they need additional time to request time off from their respective workplaces to attend the meeting and to prepare comments to submit to applicants. Several comments were received which indicated that notices were received the day of or after the scheduled meeting due to a delay in mail delivery. The staff acknowledges that there could be delays in mail delivery and that additional lead time may be necessary given people's busy schedules.

Staff Recommendation

The staff recommends that the Comprehensive Zoning Ordinance text be amended to require notices to be sent fourteen (14) days prior to the pre-application NPP meetings.

- 2. Clarify whether minimum notice requirements for NPP meetings include calendar or business days.**

Analysis

Applicants made requests for clarity on whether the minimum amount of days required to send notice of NPP meetings specify business or calendar days. The staff sees no harm in clarifying that the number of days should be "calendar days." The staff recommends approval of this request as it will help increase transparency in the early notification process.

Staff Recommendation

The staff recommends amending the Comprehensive Zoning Ordinance text to include "calendar days" in the notice requirement.

- 3. Require that NPP meeting notices be typed.**

Analysis

Neighbors stated that they have received NPP notices which are not always legible, and as a remedy, they would like the notices to be typed. The staff agrees that the NPP notices should be typed. Applicants have a responsibility to create legible meeting notices.

Staff Recommendation

The staff recommends approval of the request. The staff will provide instructions in the NPP Guide that the meeting notices must be typed.

- 4. Require that documentation presented at NPP meetings be made available to attendees prior the meeting. Also, require that if technical documents are presented at NPP meetings, experts should be on hand to explain and answer questions.**

Analysis

Neighbors indicate that they would like to receive all NPP documents that would be presented at the NPP meeting prior to the actual meeting, so they may review them in advance of the meeting and prepare comments. However, the CPC staff is concerned about the applicant's ability to move through different stages of the project in a timely manner. With the increased number of days' notice requirement before the NPP meeting, the applicants may need time for materials preparation between sending meeting notices and holding the meeting. Technical documents such as a traffic impact analysis or an environmental study are not required for NPP meetings. The staff is concerned that if applicants cannot present or distribute technical information without the presence of experts, they may simply choose not to present the information at all. It is important to note that an NPP meeting is only the beginning of a process that continues to allow public comment after the submission of the application, during the staff analysis, and at the CPC public hearing. If technical documents are submitted as part of an application, the public can view those documents online and may seek clarity from the CPC staff on the implications. Further, if technical documents are submitted later in the process, the City Planning Commission may use its discretion to defer action and give the public and/or staff more time to review those documents. The purpose of the pre-application NPP requirements is to provide notice to the public that facilitates their understanding of the proposal and the entire public process.

Staff Recommendation

The staff recommends denial of this request.

- 5. Require that newspaper postings of NPP meetings be specifically posted to the Advocate or the Times Picayune.**

Analysis

Some residents are unsure where to find notice of NPP meetings and would like them to be listed in either the Advocate or the Times Picayune. However, the applicant is not required to post notice of NPP in any public newspaper and sends notice directly to residents. The CPC publishes notice of CPC related public hearings in the Times Picayune, which is the official journal for such notices. Requiring that NPP meetings be published in the newspaper would impose additional costs on the applicant and is probably not the best way to create awareness of those meetings. Instead, the staff recommends expanding the NoticeMe system to email notices of NPP meetings to interested parties.

Staff Recommendation

The staff recommends denial of the above mentioned request.

- 6. Send email notice of NPP meetings to neighborhood associations in addition to regular mail notices.**

Analysis

Several neighborhood associations have expressed their preference to receive notice about upcoming NPP meetings through emails. This can be a quicker form of notification and traditional mail may only be periodically checked at Post Office boxes. The staff supports this recommendation as it will aid early notification of NPP meetings to neighborhood associations. Furthermore, the neighborhood associations are well-equipped to forward emails to their membership lists. A benefit of this requirement is that it would not add cost or time to the application procedures. It will be incumbent on neighborhood organizations to provide up-to-date contact information to the City.

Staff Recommendation

The staff recommends approval of this request. Implementation of this request would require an amendment of the regulations of the Comprehensive Zoning Ordinance.

- 7. Use certified mail to send NPP meeting notices.**

Analysis

As mentioned earlier in the report, residents have expressed concern about not receiving notice of NPP meetings and have suggested that applicants provide verification of the notices by sending them through certified mail. The staff does not support this request as it would put an additional financial burden on applicants. The staff believes the other recommendations mentioned throughout this report including but not limited to expanding the required number of days notification and updating NoticeMe and other online notification tools, will help to increase residents' notification of NPP meetings. There must be a balance between the benefits of imposing certain requirements and the costs to the applicant.

Staff Recommendation

The staff recommends denial of the request.

8. Expand notification radius for residents/property owners.

Analysis

Interested parties have stated they would like to expand the current notification radius for NPP meetings from the current 300' and 600' for requests under 25,000 square feet and for requests at or above 25,000 square feet respectively. The staff understands that residents would like to receive notice of requests that are within their surrounding neighborhood. However, the staff believes an expansion of the current radius guidelines would place an unnecessary financial hardship on applicants. The original NPP notification boundaries were established based on average block lengths and the staff still believes they are appropriate. When these radii were adopted, they approximately tripled the number of people who directly receive written notices.

Staff Recommendation

The staff recommends denial of the request.

9. Create a notification radius for neighborhood associations.

Analysis

Some neighborhood associations have indicated that they would like to receive notice of NPP meetings for sites that fall beyond their official boundaries, as they believe some requests may still impact their neighborhood residents. However, the staff believes that since neighborhood associations choose their own boundaries, they are free to change them to include adjacent areas of interest. Additionally, the staff has been working with the City's ITI Department and believes that the electronic "NoticeMe" system can be expanded to include NPP meetings, thereby allowing any individual or group to receive electronic notifications for any area of their choosing.

Staff Recommendation

The staff recommends denial of this request. As an alternative, City Planning Commission staff will work with the ITI Department to modify the NoticeMe system to give notice of NPP meetings. This would be achieved by setting up an online City calendar for NPP meeting notices – subject to CPC review for completeness – with NoticeMe drawing information from the calendar.

10. Clarify whether the 300/600' radius for official notification includes the street.

Analysis

The distance for the notification boundaries is measured from the property line of the subject property. The staff believes this is an appropriate way to measure the distance and it would be difficult to create a system where certain types of land or water area do not count. A street's width can be a very important buffer between uses and should not be discounted. The 300 ft.

notification distance from a petitioned property should cover both sides of any street in New Orleans.

Staff Recommendation

The staff recommends that no clarification is needed.

11. Require applicant to send notice of the CPC hearing to all who attended the NPP meeting.

Analysis

Meeting attendees have indicated that after they attend NPP meetings, they do not receive follow-up information as to when the applicant's request will be heard before the City Planning Commission, and would like a direct follow-up after the NPP meeting. The staff understands that residents want to engage in the process beyond the NPP meeting. The staff believes that the NoticeMe notification and the One Stop App website provide that information and increasing public awareness of these systems will address this concern.

Staff Recommendation

The staff recommends modified approval of the request to require applicants to distribute informational handouts at the NPP meeting. The modified recommendation would be implemented through the CZO, requiring the distribution of CPC staff-prepared handouts at NPP meetings that explain how to register and use the NoticeMe system and One Stop App website. Additionally, the NPP Guide will encourage applicants to email the NPP meeting attendees when they have submitted their application and provide a copy of their NPP meeting summary report.

12. Create penalties for not sending out proper meeting notice.

Analysis

Several commenters stated that penalties should be imposed on applicants who do not make a good faith effort to send proper notice of NPP meetings. The staff believes it is important for the applicant to provide proper notice of NPP meetings and supports several recommendations throughout this report to improve this process. The CPC staff only accepts applications deemed to be complete, which must include an NPP meeting summary report and supporting documentation. If allegations are made that the applicant did not act in good faith, the CPC may defer action on the application and require further information or neighborhood engagement. The CPC may also be inclined to recommend denial of a request where they believe the applicant has egregiously not acted in good faith.

Staff Recommendation

The staff recommends that action continue to be left to the discretion of the City Planning Commission or the City Council, after hearing from the applicants and any aggrieved party at a

public hearing.

13. In NPP meeting notices, describe the type of land use request, inclusive of variances and citations. For parking waivers, describe the parking capacity onsite.

Analysis

Interested parties have stated that NPP meeting notices should include not only the land use request, but also any requested variances and citations for each. The CPC staff believes the applicant should provide such information in the NPP meeting notice and at the NPP meeting. This should include the specific zoning request, a description of any requested variances, and citations from the applicable sections of the Comprehensive Zoning Ordinance. However, the staff notes that applications vary in complexity and there could be variances needed of which the applicant may not be aware at the time of the NPP meeting. Applicants often change aspects of a project based on their planning process, design considerations, or in response to public feedback. Such changes should not warrant a new NPP meeting unless the use or application type changes. Instead, applicants should notify meeting attendees of changes through their email contact information listed on the meeting sign-in sheet. The public can continue their involvement at the CPC and City Council public hearings.

Staff Recommendation

The staff recommends a modified approval to instruct the applicant in the NPP Guide to provide the type of land use application, variances needed, and citations for each in the NPP meeting notice. Applicants will be instructed to update meeting attendees of design changes via email.

B. NPP Meeting Space

1. Require that the NPP meeting be held indoors, in a climate controlled environment, with ADA accessibility for residents/interested parties.

Analysis

Some meeting attendees commented that several NPP meetings have been held in locations with insufficient heating and cooling, without proper seating, outdoors, and inaccessible to those who require ADA accessibility. The staff believes the conditions described above are not conducive to presenting and receiving information.

Staff Recommendation

The staff recommends approval of this request. The staff will add required and recommended components to the NPP Guide. Applicants will be required to have meetings in climate controlled, comfortable environments with seating and ADA accessibility.

2. Provide applicants with a list of appropriate “public” meeting spaces where NPP meetings can be held, and an accompanying list of inappropriate meeting sites.

Analysis

As mentioned previously, there have been instances where NPP meetings have been held in less than desirable locations. The staff believes that providing applicants with a list of appropriate meeting locations will help to ensure that potential meetings are held in a welcoming and accessible environment. These may include public spaces such as libraries and community centers as well as locations such as school and church halls.

Staff Recommendation

The staff recommends approval of this request, to provide applicants with a list of suggested appropriate and non-appropriate NPP meeting location types.

3. Require that NPP meetings be held at an appropriate location that is no greater than 1 mile from the petitioned site.

Analysis

The staff received several comments that some NPP meetings have been held in locations that are not within a reasonable distance to the petitioned site. They request that NPP meetings be held no farther than 1 mile away from the petitioned site. The staff acknowledges that the NPP should be held within a reasonable distance from the petitioned site, but feels that mandating a specific distance is too prescriptive, and may result in meeting at undesirable locations in order to meet the distance requirement. However, the staff supports providing more guidance in choosing meeting locations through the NPP Guide.

Staff Recommendation

The staff recommends modified approval of the request to provide guidance through the NPP Guide which will state that the meeting location should be convenient to neighborhood residents.

C. Access to NPP Data

1. Increase awareness of NPP meetings to interested parties.

Analysis

The staff received comments which call for the implementation of policies to increase awareness of NPP meetings for interested parties. Those individuals not within the 300/600 ft. radius may only receive notice through word of mouth or through their neighborhood association. Many neighborhood residents may not be immediate neighbors or members of the neighborhood association, but may still have an interest in developments in their neighborhood. Currently, a program called NoticeMe allows anyone with internet access and an email address to receive

notices that a zoning application has been filed, a public hearing scheduled, and a staff report available. Ideally, this program could be used to also inform registered parties of an NPP meeting in their area of interest. If the meeting dates are given to the City with sufficient lead time, NoticeMe can automatically generate email notifications. The staff reviewed this option with the office of Information Technology and Innovation (ITI), and it was determined that this would be beneficial and likely feasible through a City calendar of NPP meetings drawn upon by the NoticeMe system.

Staff Recommendation

The staff recommends working with ITI to upgrade NoticeMe to include NPP meeting announcements, as feasibility allows. This recommendation would also require a change to the Comprehensive Zoning Ordinance to require applicants to notify the CPC of the NPP meeting with the recommended 14 day notice.

2. Create a searchable “NPP” database on One Stop website.

Analysis

The staff received comments which call for the creation of a central area on the One Stop App website where residents can easily access NPP meeting and report data. The reasoning behind this suggestion is that residents cannot easily access NPP data because it is combined in one central application file as part of the land use request. These comments also argue that a process is not in place which allows them to follow-up on the veracity of NPP meeting summaries, application submittals etc. The staff notes that the NPP meeting summary is a required part of the application and is posted online when the application is docketed. The meeting attendees are encouraged to review the NPP meeting summary and comment on the applicant’s addressing of their concerns, as they see fit. The staff believes that required meeting handouts would significantly increase the awareness of meeting attendees on the process for continued participation once the application is submitted.

Staff Recommendation

The staff recommends increasing the awareness of the fact that the NPP meeting summary is posted with the application. This may be done through inclusion in a required NPP meeting handout explaining how to register and use the NoticeMe system and One Stop Shop App website and through more specific labeling on those systems. This recommendation would be implemented administratively.

D. NPP Meeting Procedures

1. Require CPC staff to attend and monitor each NPP meeting.

Analysis

NPP meeting attendees commented that sometimes applicants are not able to answer the

questions of residents during NPP meetings. Applicants report that concerns raised are sometimes off-topic. Many attendees and neighborhood associations requested that CPC staff attend and mediate NPP meetings. The staff acknowledges that both applicants and attendees would like to participate in orderly meetings and to leave well-informed. However, the CPC staff does not believe its role is to mediate pre-application discussions. Additionally, the CPC staff attending every NPP meeting would not be practical. The staff proposes alternative solutions to these concerns through the provision of CPC staff-prepared handouts for NPP meetings.

Staff Recommendation

The staff recommends denial of the request.

2. Require that applicants record the meeting.

Analysis

NPP meeting attendees have commented that several applicants' NPP summary reports do not adequately indicate what actually transpired at the corresponding meetings, and that a voice or video recording of the meetings would help to rectify this. The staff believes this is good way to help applicants to provide an accurate NPP meeting summary. However, considering the administrative difficulties of posting audio and video recordings as well as concerns about mandating quality levels, the staff believes that audio and video recording should continue to be optional. In any case, members of the public shall be allowed to record the meeting.

Staff Recommendation

The staff recommends modified approval of this request by strongly recommending recordation of the NPP meeting in the NPP Guide.

3. Provide comment cards at NPP meetings and require inclusion in NPP report.

Analysis

An NPP meeting organizer suggested that comment cards be made available at NPP meetings, which would be subsequently included with the applicants' NPP report. The staff supports this request as it provides another way for attendees' comments and concerns to be recorded and not lost in translation by the applicant. It is already required that applicants submit any written comments that they receive.

Staff Recommendation

The staff recommends approval of this request. The CPC staff will provide the format for standardized comment cards to the applicants with other required NPP handouts.

4. Provide applicants with standardized handouts for NPP meeting attendees, which will include the corresponding CZO citation and definitions.

Analysis

In some cases, meeting attendees report that applicants are not well equipped to answer attendees' questions about the land use request. Meeting attendees request that applicants be required to give more specific details about the project and/or zoning regulations of the existing or proposed district. The staff believes the applicant should handout a copy of proposed site plans (if applicable), use charts and other documentation as possible. The CPC staff would provide standardized handouts of use charts for the existing or proposed zoning district. The staff could also provide a checklist and sample letter of the minimum information an applicant should provide at their NPP meeting.

Staff Recommendation

The staff recommends approval of this request. The CPC staff will prepare handouts of zoning district regulations that may be distributed at meetings as well as an example site plan. Additionally, the applicant will be instructed to provide additional specific information about their project including floor area, height, number of units, commercial hours of operation, etc. These will be added to the checklist already provided to applicants within the NPP Guide.

5. Update the standardized “sign-in” sheet to include a field for attendees to indicate how they received notice of meeting, and if they live within 300’ of the site.

Analysis

The staff received comments that sometimes applicants will receive letters of support from residents who do not live within 300’ of the petitioned site, and will also have these residents sign-in at their NPP meetings. The staff supports transparency and has already provided a sample sign-in sheet in the NPP Guide that asks for the attendee's address.

Staff Recommendation

The staff recommends modified approval of this request to require a sign-in sheet with spaces for names, addresses, and contact information. The staff has already included a sample sign in sheet that the applicants may use by simply filling in the project's basic information.

6. Offer an NPP meeting “training” to applicants.

Analysis

Some applicants are unfamiliar with how to organize and hold a neighborhood meeting. The staff proposes to produce a training video that applicants could access online.

Staff Recommendation

The staff recommends approval of this request. Preparation of the training video would be handled by the staff of the CPC and Neighborhood Engagement Office. Implementation of this recommendation would be handled administratively.

7. Specify a reasonable amount of time at NPP meetings to address concerns.

Analysis

NPP meeting attendees have stated that they are often not given an opportunity to voice their questions and concerns at the NPP meetings. The purpose of the meeting is to provide attendees with information about the project and allow them the opportunity to question and comment. The staff agrees that an NPP meeting should include time for attendee's questions and comments.

Staff Recommendation

The staff recommends approval of this request. Within the NPP Guide, the staff will provide a sample agenda and instructions for providing a reasonable amount of time for questions and answers.

8. Restrict meeting times to weekday evenings or weekends. No holiday meetings.

Analysis

Attendees have commented that some applicants have had NPP meetings at inopportune times which preclude attendance by many interested parties. Attendees suggested that NPP meeting times should exclude holidays, and daytime weekday meetings. The staff recognizes that interested parties want to be a part of the NPP process. However, the staff believes it would be too prescriptive to limit the days and times for NPP meetings, in part, because it is unlikely that a schedule can be determined to meet the needs of all interested parties. Instead, the staff believes a better suited alternative will be to provide the applicant with advice on scheduling meetings in an appropriate manner for the time and location. Additionally, the applicant can be further encouraged to find ways to provide information for interested parties not able to attend.

Staff Recommendation

The staff recommends denial of the request. However, the applicants will be provided written guidance in the NPP Guide on choosing meeting times that maximize participation and show good faith.

9. Allow specified time for public comment prior to submittal of application.

Analysis

NPP meeting attendees indicate that they would like to submit written comment responding to

applicants' NPP meeting summary reports prior to the submittal of any land use application. The concern is that some applicants may submit NPP reports which do not accurately represent what transpired at the meetings. The staff does not support this recommendation as it would unnecessarily delay the applicant's submission. Instead, a handout can instruct the public on how to access the applicant's application and NPP meeting summary report once they have been submitted.

Staff Recommendation

The staff recommends denial of this request.

- 10. Require a second neighborhood meeting after the application has been submitted. Or, if the project changes significantly from the original proposal at the NPP meeting, another NPP meeting should be required.**

Analysis

NPP meeting attendees have stated that another NPP meeting should be required after the application has been submitted or if the project characteristics change significantly. The current regulations require the applicant to establish a method of informing interested parties of changes that may occur after the original NPP meeting. This can happen with emails to those who signed in at an NPP meeting or through a project website. It is reasonable to expect that developers will need to change plans for a variety of reasons. The CPC staff is concerned about any NPP procedural changes that automatically require an additional neighborhood meeting, as these meetings require significant time and resources to set up. However, the City Planning Commission is in a position to evaluate on a case-by-case basis whether additional neighborhood engagement is warranted. Failure to update meeting attendees of significant project changes can be a reason to defer action. The CPC has frequently used its discretion to defer action in cases where it believes further neighborhood discussions will be helpful.

Staff Recommendation

The staff recommends denial of the request.

E. Applications

- 1. Remove the NPP meeting exemption for requests introduced by City Council motions.**

Analysis

Numerous parties would like to remove the NPP exemption for applications initiated by City Council Motion, as this exemption does not provide residents with the early notification. The CPC staff supports this request in most cases with the exception being large scale zoning changes across multiple squares, where it is not practical to provide mailed notice to all residents and property owners. The staff proposes allowing the City Council motion to be passed prior to

the NPP meeting taking place, but the application not deemed complete or docketed until the NPP meeting takes place and the summary report is submitted along with the other standard requirements.

Staff Recommendation

The staff recommends modified approval of the request for City Council motions for conditional use, planned development, or zoning changes covering less than one City square.

- 2. Extend the timeframe for submitting applications after the NPP meeting from 90 days to 180 days.**

Analysis

One comment indicates that the “90 day” deadline for applicants to submit applications after the NPP meeting is too prohibitive, and that the extension to “180 days” is more reasonable. The staff supports this request and acknowledges that in some cases it requires additional time and to complete final site, elevation, floor and stormwater management plans. In some cases, applicants may be altering plans to respond to community concerns. Additionally, conditions in the area generally will not have changed significantly within six months of the NPP meeting.

Staff Recommendation

The staff recommends approval of this request. Implementation of this request would require an amendment to the regulations of the Comprehensive Zoning Ordinance.

- 3. Take a picture of the notification sign at the petitioned site, which is provided by CPC staff at the time of application.**

Analysis

Public comments allege some cases where applicants do not always post the required signage (see Figure 1) at the petitioned site. The comments indicate that applicants should provide visual proof of the sign’s placement in compliance with the CZO. The staff supports this request as it would provide applicants with proof of compliance.

Figure 1: Petitioned Site with Proper Signage



Staff Recommendation

The staff recommends approval of this request. Implementation of this request would require an amendment of the Comprehensive Zoning Ordinance. If no picture of the sign is submitted, the CPC may defer consideration of the docket until it has received the picture and ascertained that the sign has been posted for at least fifteen days, as required.

4. Allow written public comment after the release of the CPC staff reports.

Analysis

Interested parties have indicated that they would like to submit written comments in response to the CPC staff reports, prior to the deadline for receipt of written comments. The staff recommends against this for three reasons: (1) there would be no opportunity for the staff to address in writing the issues raised after the staff reports have been released; (2) there would be an administrative burden of multiple electronic postings and providing Commissioners with multiple file deliveries on the same docket; and (3) Commissioners have previously indicated that they need one week's time to read the reports and public comments.

Staff Recommendation

The staff recommends denial of the request.

5. Include a CPC staff summary of the NPP meeting summary in the CPC staff report.

Analysis

The staff received a comment that the NPP meeting should be addressed in the CPC staff report. The CPC staff does not believe it is necessary to create summaries of documents that are already attached to the staff reports. However, the staff reviews the NPP meeting summaries and

submitted public comments. The staff analyzes potential impacts of land use actions and appreciates when issues are raised by the public so that these issues are sure to be addressed.

Staff Recommendation

The staff recommends denial of the request.

6. Include a summary of residents' comments in the CPC staff report.

Analysis

The staff received a comment that the staff should include a summary of residents' comments regarding applicants' NPP summaries in the CPC staff reports. The CPC staff does not believe it is necessary to create summaries of documents that are already attached to the staff reports.

However, the staff reads the submitted comments, analyzes potential impacts of land use actions and appreciates when issues are raised by the public so that these issues are sure to be addressed.

Staff Recommendation

The staff recommends denial of the request.

7. The Historic District Landmarks Commission (HDLC) should be subject to NPP requirements.

Analysis

The staff received a comment that the HDLC should have its own NPP requirements. The City Charter requires a neighborhood participation system for land use actions; however, it is beyond the jurisdiction of the City Planning Commission to implement requirements for other agencies. Constituencies should work with the appropriate agencies and the City Council to implement NPP requirements beyond the City Planning Commission's Charter responsibilities.

Staff Recommendation

The staff makes no recommendation on this issue.

8. Determine a means to validate support petitions and letters submitted by applicants.

Analysis

One comment expresses a concern that some applicants include signatures and letters of support from individuals who do not live in the immediate neighborhood of the petitioned site and from individuals who have been falsely represented as proponents of the request. All comments received before the deadline are posted on the CPC's website along with the staff report. This

offers an opportunity for the community to question the validity of any submitted written comments. The CPC staff believes it is the role of the City Planning Commission to assess the validity of written comments and question proponents and opponents about purported community opinions at the public hearing. The staff does not believe this is a widespread problem, but rather has been isolated to certain contentious projects.

Staff Recommendation

The staff recommends denial of the request.

F. Neighborhood Associations

- 1. Require that all neighborhood associations register with the Neighborhood Engagement Office (NEO).**

Analysis

Residents have submitted comments which indicate that they would like to mandate that all neighborhood associations register with the Neighborhood Engagement Office (NEO), and for this office to send official notice of NPP meetings to the corresponding neighborhood associations. The staff encourages neighborhood associations to register with NEO; however, the neighborhood organizations operate independently of the City. There are incentives to register with the City which include receiving notice of NPP meetings within their boundaries.

Staff Recommendation

The staff recommends denial of the request.

- 2. Require neighborhood associations to provide proof that their membership is at least 30% of neighborhood residents/owners within their boundaries.**

Analysis

The staff received a comment questioning of whether neighborhood associations accurately represent the majority of residents or property owners within their boundaries. These organizations are generally run by volunteers and in communities where many residents are too busy to be involved on a regular basis. Assuring membership of a certain percentage or polling all community members is probably not practical for every issue. As an alternative, Commission members are encouraged to ask questions of neighborhood association representatives about their membership and the process by which it takes a position. City Planning Commissioners use their judgment to evaluate a project by considering local community sentiment as well as the benefits/impacts to the City as a whole.

Staff Recommendation

The staff recommends denial of this request.

VII. Summary

The CPC staff recommends the following be incorporated into the Neighborhood Participation Program:

Notification of Neighborhood Participation Program (NPP) Meetings

- Typed NPP meeting notices shall be sent fourteen (14) calendar days before scheduled meetings instead of the current requirement of 5 days. This change would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- NPP meeting notices shall be sent to applicable, registered neighborhood associations by email in addition to mailed/hand-delivered notice. This change would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- The staff will work with the Information Technology & Innovation Department to augment the “NoticeMe” system to provide notice of NPP meetings.
- To facilitate the NoticeMe NPP meeting notices, the applicant shall submit their NPP meeting notices to the City Planning Commission with the fourteen (14) day notice. This recommendation would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- On the NPP meeting notice, the applicant shall provide the type of land use application, variances needed, and citations for each. This change would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).

Meeting Space

- Provide instructions in the NPP Guide to stipulate that NPP meetings be held at a location with ADA accessibility, convenient to the neighbors, indoors, with seating, in comfortable environments.
- Provide applicants with a generic list of appropriate and inappropriate NPP meeting locations.

Access to NPP Data

- As noted in the “Notification” section, the staff will work with the ITI Department to augment the “NoticeMe” system to inform registered parties of NPP meetings in their areas of interest. Meeting attendees would be given handouts on how to register and follow the process after the NPP meeting. The staff further recommends that finding the NPP meeting summary report be made easier by improved labeling in the City’s system, so that the public better understands that the NPP summary report is a part of the submitted application.

NPP Meeting Procedures

- Provide comment cards at the NPP meetings. The CPC staff will provide the cards as part of the NPP Guide. This recommendation can be implemented administratively.
- The applicant shall provide standardized handouts for attendees of NPP meetings. The handouts will include information about the existing and/or proposed zoning district, instructions on how to register for the “NoticeMe” system, and instructions how to use the One Stop App website. Additionally, the applicant will be instructed to provide certain information about the project such as floor area, number of units, number of floors, hours of operation, and a site plan (if applicable). This requirement would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- The applicant shall provide an NPP meeting sign-in sheet with spaces for address and contact information. The CPC already provides a sample sign-in sheet. This requirement would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- The NPP Guide shall provide a sample agenda with instructions for providing a reasonable amount of time for questions and answers.
- The staff shall produce a training video – with the assistance of Neighborhood Engagement Office staff – that applicants can access online.
- The NPP Guide shall provide guidance on choosing meeting times that can show a good faith effort and maximize participation.

Applications

- Extend the timeframe for submitting applications after the NPP meeting from ninety (90) days to one hundred eighty (180) days. This change would ease the burden on the applicant to assemble the complete application package – which may include detailed design and stormwater management plans - in an unnecessarily short time frame. This requirement would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).
- The City Planning Commission may defer consideration of an application upon a finding that the applicant did not submit a complete application, which may include not following the NPP requirements in good faith. Within its City Charter-mandated timeline, the CPC may direct the applicant to correct its actions by providing fully accurate information about the request prior to resuming its consideration.
- City Council motions for zoning map amendments, conditional uses, or planned developments shall be subject to the NPP neighborhood meeting requirements. One exception would be for zoning map amendments covering multiple squares, where the mail requirements would be impractical. The staff recommends allowing the motion to be

passed, but not docketed until the NPP meeting has occurred and supporting documentation submitted. This requirement would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).

- The applicant shall photograph the required signage after it has been posted on the subject property. The staff provides the signage at the time of application submittal. This requirement would be implemented through a text amendment to the Comprehensive Zoning Ordinance (CZO).

VIII. Next Steps

If this study is approved, the City Planning Commission will forward the document to the City Council as an informational report. A number of the recommendations must be implemented through text amendments to the Comprehensive Zoning Ordinance. The City Council could adopt a motion directing the City Planning Commission to consider a text amendment to the Comprehensive Zoning Ordinance based on this study. Should the City Council propose the text amendment, the CPC staff would docket the request and produce a staff report. This would involve additional public hearings and the CPC would forward its final recommendations to the City Council. Other recommendations that do not impose new legal requirements on the applicants can be implemented administratively.

IX. City Planning Commission Meeting (April 12, 2016)

The staff presented the background, findings and recommendations of the NPP Study. There were three speakers present. Commissioner Mitchell made a motion for deferral of the adoption of the study, stating that all of the Commissioners should be present to voice their comments and concerns on the findings of the study. The motion for deferral was seconded by Commissioner Mora and failed.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT THE NEIGHBORHOOD PARTICIPATION PROGRAM STUDY IS HEREBY RECOMMENDED FOR **DEFERRAL.**

YEAS: Mitchell, Mora

NAYS: Brown, Marshall, Steeg

ABSENT: Duplessis, Wedberg

The motion failed.

Commissioner Brown made a substitute motion for an approval to adopt the NPP Study, which was seconded by Commissioner Steeg, and failed.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT THE NEIGHBORHOOD PARTICIIPATION PROGRAM STUDY IS HEREBY RECOMMENDED FOR **APPROVAL**.

YEAS: Brown, Marshall, Mora, Steeg

NAYS: Mitchell

ABSENT: Duplessis, Wedberg

The motion failed.

Commissioner Mitchell made a substitute motion for a modified approval of the study, to require that all City Council Motions adhere to the NPP process. The motion was seconded by Commissioner Steeg. There was discussion as to whether or not all City Council motions should be exempt to requirements of the NPP process. The Executive Director clarified that with the adoption of the NPP Study, the City Council would only be exempted from the NPP process in regards to land use requests which affect multiple City Squares, and not those requests for smaller areas. Upon this clarification, Commissioner Mitchell withdrew the motion.

Commissioner Brown made a motion to reconsider her previous motion of approval, which was seconded by Commissioner Steeg and adopted.

Motion:

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT THE NEIGHBORHOOD PARTICIPATION PROGRAM STUDY IS HEREBY RECOMMENDED FOR **APPROVAL**.
BE IT FURTHER MOVED THAT THE EXECUTIVE DIRECTOR IS HEREBY AUTHORIZED TO NOTIFY THE CITY COUNCIL OF SAID ACTION.

YEAS: Brown, Marshall, Mitchell, Mora, Steeg

NAYS:

ABSENT: Duplessis, Wedberg

Appendix A

Proposed Changes to the Comprehensive Zoning Ordinance

(Proposed new text is shown in **bold, underlined** font.
Proposed deletions are shown in ~~strikethrough~~)

The current Neighborhood Participation Program requirements of the Comprehensive Zoning Ordinance are covered in Article 3, Section 3.3 and Article 4, Sections 4.2 through 4.6. The staff recommends changes to the text of the Comprehensive Zoning Ordinance to ensure consistency and to correspond with proposed recommendations. Language recommended for deletion is indicated below in ~~strikethrough~~ font. Language recommended for addition is indicated below in **bold, underlined** font.

ARTICLE 3 ADMINISTRATIVE PROCEDURES

3.3 NOTICE

A. Published Notice

For all applications that require a public hearing, a notice shall be published once a week for three (3) consecutive weeks in the official journal of the City of New Orleans, as defined in the City Code, with the first publication of notice at least twenty (20) days before the date of hearing. Each notice shall set forth the date, time, place, and purpose of the public hearing, the name of the applicant, and identification of the subject property.

B. Mailed Notice

1. Mailed notice is required for all public hearings required by this ordinance, excluding those for zoning text amendments and for zoning amendments initiated by the City Council covering multiple squares.
2. Mailed notice for public hearings held by the City Planning Commission shall be sent by regular mail at least fifteen (15) days before the public hearing to the following individuals and entities. Mailed notice for public hearings held by the Board of Zoning Adjustments shall be sent by regular mail at least five (5) days before the public hearing to the following individuals and entities.
 - a. The owner of record of the property, as indicated in the records of the Orleans Parish Assessor's Office, and all persons expressly authorized in writing by the owner to file the application.
 - b. The owners of record of all properties, as indicated in the records of the Orleans Parish Assessor's Office, located within three hundred (300) feet of the property lines of the subject property. However, for public hearings involving a site of twenty-five thousand (25,000) square feet or more in area or a development of twenty-five thousand (25,000) square feet or more in floor area, such notice shall be expanded to all properties within six-hundred (600) feet of the property lines of the subject property.

- c. The occupants of all properties indicated in items i and ii above, wherever the mailing address of the property owner as indicated in the records of the Orleans Parish Assessor is different from the address of the property.
 - d. Any neighborhood association with boundaries within which any portion of the subject property is located. For the purposes of this section, the boundaries of a neighborhood association shall be as provided on its registration form in the office of the City Planning Commission.
3. The notice shall set forth the name of the applicant, the date, time, place, and purpose of the hearing, and identification of the subject property.

C. Posted Notice

Posted notice for public hearings is required as follows in Table 3-2: Posted Notice for Public Hearing. Section 3.3.C.1 below describes required notice when required to be posted by the applicant and Section 3.3.C.2 below describes required notice when required to be posted by the Department of Safety and Permits.

TABLE 3-2: POSTED NOTICE FOR PUBIC HEARING		
ZONING APPLICATION	POSTED BY APPLICANT (SECTION 3.3.C.1)	POSTED BY DEPARTMENT OF SAFETY & PERMITS (SECTION 3.3.C.2)
Zoning Map Amendment – Initiated by Applicant	X	
Zoning Map Amendment – Initiated by City		X
Conditional Use	X	
Planned Development	X	
Variance	X	
Property-Specific Zoning Appeal		X

1. Posted Notice by Applicant

- a. A notification sign shall be installed by the applicant at least fifteen (15) consecutive days prior to the public hearing.
- b. Such notification sign shall meet the following requirements:
 - i. The sign shall be an official notification sign provided by the City.
 - ii. The sign shall be posted at a prominent location on the subject property near the sidewalk or public right-of-way, and shall be visible to passing pedestrians and motorists. If it is not feasible to post a notification sign

on a subject property for whatever reason, a notification sign shall be posted within the public right-of-way adjacent to the property at a location approved by the Department of Safety and Permits. For properties with more than one (1) street frontage, the applicant is required to post one (1) sign visible from each street frontage.

iii. The applicant shall photograph the required sign(s) after it has been posted on the subject property. A copy of the photograph shall be submitted to City Planning Commission staff.

- c. The sign shall indicate that the site is the subject of a zoning application and shall provide contact information for the office of the City Planning Commission to obtain further information.
- d. ~~The Department of Safety and Permits shall verify that the notification sign has been posted by the applicant.~~

2. Posted Notice by the Department of Safety and Permits

- a. Notification signs posted by the Department of Safety and Permits shall meet the following requirements:
 - i. The notification signs shall be no less than eleven (11) inches by seventeen (17) inches in size and shall be posted at the two (2) corner intersections of the block face on which the subject property is located, or by any other means, method, or placement deemed appropriate by the Executive Director of the City Planning Commission or the Director of the Department of Safety and Permits to effect the intended public notice.
 - ii. The sign shall indicate the type of application, the address of the subject property, and the day, date, time, and place of the public hearing.

D. Validity of Defective Notice

- 1. No action on any application submitted in accordance with this Ordinance shall be declared invalid by reason of any defect in any of the following:
 - a. The publication of the notice of the purpose or subject matter and the time and place of the hearing if the published notice gives reasonable notification of its purpose, subject matter, substance, or intent.
 - b. The posting or display of a notification sign if evidence of installation of the sign is presented.

- c. The mailing of notice to the individuals and entities within the vicinity of the site as indicated above.
2. Any defect in or failure to adhere to any discretionary forms of notification shall not form a basis for declaring invalid any ordinance or City Council action on any zoning matter.
3. No denial by the City Council of any application, petition, or other zoning matter requiring notice shall be declared invalid by reason of any defect in any form of public notice, if the applicant has received notice of the time, date, and place of the hearing.

ARTICLE 4 APPLICATIONS & APPROVALS

Section 4.2 Zoning Text and Map Amendments

D. Procedure

1. Submittal of Application

- a. All applications shall be filed with the Executive Director of the City Planning Commission in accordance with the requirements of Section 3.2 and reviewed for completeness by the Executive Director.
- b. Amendments initiated by the City Council require a complete application, but may be exempt from fees. If it is the City Council's intent to waive the fee, the waiver and the fee amount shall be stated in the motion initiating the request.

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~~ **map amendments covering less than one city square initiated by the City Council are subject to the Project NPP, although the property owner or owner's agent may conduct the NPP meeting in accordance with requirements of this section. Until all required NPP documents are submitted to CPC staff, including the meeting notice letter, sign-in sheets, and NPP meeting summary, the request will not be deemed complete for the purpose of a completeness review as provided in Section 3.2.B.** The City Council may also require the party of interest to undergo the NPP process prior to the **motion being acted on by the City Council.** ~~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. **Map amendment applications shall include the type of land use request, the name of the zoning district, and the article of the Comprehensive Zoning Ordinance.**
 - 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.
 - 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 **typed** Project NPP and notice, **including email notification to applicable registered neighborhood associations,** 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. **In addition, the applicant shall notify the City Planning Commission of the meeting date, time, and location not less than fourteen (14) days prior to the meeting. The applicant shall hold the meeting at the noticed time. The applicant shall distribute informational handouts to meeting attendees. The handouts shall include information about the requested zoning district, registering with City notification system(s), accessing application documents and NPP meeting summary reports.** For the purposes of this section, meetings ~~may~~ **shall** be held in a physical location ~~or via other means that is~~ **in accordance with the City Planning Commission's Administrative Rules, Policies and Procedures** ~~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 **and the citation of the zoning district name and article.**

- 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)~~ **one hundred eighty (180)** 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)~~ **one hundred eighty (180)** days preceding the submittal of the Project NPP report.
 - vi. **A completed sign-in sheet that includes the names, addresses, and contact information for meeting attendees.**

3. Action by City Planning Commission

- a. The City Planning Commission shall conduct a public hearing on a proposed zoning amendment in accordance with Section 3.4 fifty (50) days from the date the application is docketed. Notice of the public hearing is required in accordance with Section 3.3.
- b. After the close of the public hearing, the City Planning Commission shall make a recommendation. Based upon the evidence presented at the public hearing, the City Planning Commission shall evaluate the application against the applicable standards in Paragraph E below.

- c. The City Planning Commission shall recommend approval, modified approval, or denial sixty (60) days from the opening of the public hearing. **The City Planning Commission may also vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omissions in following the Project NPP. The failure to resolve a finding of incomplete or inaccurate information may be grounds for commending denial.** If the City Planning Commission fails to act by a vote of the majority of the Commission members, the application will be forwarded to the City Council without recommendation of no legal majority. The City Planning Commission's written recommendations, together with the staff report and recommendation, if any, shall be filed with the Clerk of the City Council.

4. Action by City Council

- a. The City Council shall hold a public hearing in accordance with its rules and take action by motion of approval, modified approval, or denial sixty (60) days from receipt of a City Planning Commission recommendation. The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation.
- b. If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.
- c. If the City Council takes action by motion of approval or modified approval, the City Council shall forward the motion to the City Law Department for preparation of an ordinance. Once the ordinance is introduced by the City Council, the ordinance shall layover a minimum of twenty-one (21) days before the Council may adopt it. The City Council shall adopt the final ordinance ratifying its decision within ninety (90) days of the date that it took action by motion.

Section 4.3 Conditional Uses

D. Procedure

1. Submittal of Application

- a. An application for a conditional use shall be filed with the Executive Director of the City Planning Commission, in accordance with the requirements in Section 3.2, accompanied by a development plan as required by Section 4.5, and reviewed for completeness by the Executive Director.
- b. Conditional Use applications initiated by the City Council require a completed application, but may be exempt from fees. If it is the intent of the City Council to waive the fees, the waiver and fee amount shall be stated in the motion initiating the request.
- c. If a zoning amendment is required or requested, that application shall accompany the application for a conditional use for reference. A zoning amendment application shall be processed according to the procedures of Section 4.2.
- d. If the proposed use requires subdivision, an application for a subdivision shall be filed prior to the issuance of a building permit. The subdivision must be completed prior to the issuance of a certificate of occupancy for the structure or use.
- e. For conditional uses subject to additional requirements from state or federal agencies, such as the Federal Aviation Administration or the Louisiana Department of Environmental Quality, all required submittals from such agencies shall be submitted with the application. Where the state or federal agency cannot verify that all requirements are met prior to approval of the conditional use, the applicant shall obtain a letter from the agency stating that the agency will verify that all requirements are met after the conditional use approval is granted.

2. Pre-Application Meeting and Project Neighborhood Participation Program

All applications for conditional uses shall include a Project Neighborhood Participation Program (Project NPP). ~~A Project NPP is not required for any application for a conditional use or an amendment to an existing conditional use initiated by the City Council.~~ **Conditional use applications initiated by the City Council are subject to the Project NPP, although the property owner or owner's agent may conduct the NPP meeting in accordance with the requirements of this section. Until all required NPP documents are submitted to CPC staff, including the meeting notice letter, sign-in sheets,**

and NPP meeting summary, the request will not be deemed complete for the purpose of a completeness review as provided in Section 3.2.B. The City Council may also require the party of interest to undergo the NPP process prior to the **motion being acted on by the City Council.** ~~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 conditional uses 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, including **the type of land use request, known needed variances and citations for each,** estimated start and end dates, and a development plan for the project. **The description shall include the proposed floor area square feet, number of units, and number of floors.**
 - 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.
 - 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 **typed** Project NPP and notice, **including email notification to applicable registered neighborhood associations,** 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. **In addition, the applicant shall notify the City Planning Commission of the meeting date, time, and location not less than fourteen (14) days prior to the meeting. The applicant shall hold the meeting at the noticed time. The applicant shall distribute informational handouts to meeting attendees. The handouts shall include information about the applicable zoning district.**

registering with City notification system(s), accessing application documents and NPP meeting summary reports.

For the purposes of this section, meetings ~~may~~ **shall** be held in a physical location ~~or via other means that~~ **is in accordance with the City Planning Commission's Administrative Rules, Policies and Procedures** ~~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 **and the citation for the conditional use.**

- a. 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 should 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)~~ **one hundred eighty (180)** 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)~~ **one hundred eighty (180)** days preceding the submittal of the Project NPP report.
 - vi. **A completed sign-in sheet that includes the names, addresses, and contact information for meeting attendees.**

3. Action by the City Planning Commission

- a.** The City Planning Commission shall conduct a public hearing on a proposed conditional use in accordance with Section 3.4 fifty (50) days from the date the application is docketed. Notice of the public hearing is required in accordance with Section 3.3.
- b.** After the close of the public hearing, the City Planning Commission shall make a recommendation. Based upon the evidence presented at the public hearing, the City Planning Commission shall evaluate the application against the applicable standards in Paragraph F below.
- c.** The City Planning Commission shall recommend approval, modified approval, or denial sixty (60) days from the opening of the public hearing. The City Planning Commission may also vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omissions in following the Project NPP. The failure to resolve a finding of incomplete or inaccurate information may be grounds for recommending denial. If the City Planning Commission fails to act by a vote of the majority of the Commission members, the application will be forwarded to the City Council without recommendation of no legal majority. The City Planning Commission's written recommendations, together with the staff report and recommendation, if any, shall be filed with the Clerk of the City Council.

4. Action by the City Council

- a.** The City Council shall hold a public hearing in accordance with its rules and take action by motion of approval, modified approval, or denial sixty (60) days from receipt of a City Planning Commission recommendation. The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation.
- b.** If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.
- c.** If the City Council takes action by motion of approval or modified approval, the City Council shall forward the motion to the City Law Department for preparation of an ordinance. Once the ordinance is introduced by the City Council, the ordinance shall layover a minimum of twenty-one (21) days before the Council may adopt it. The City Council shall adopt the final ordinance ratifying its decision within ninety (90) days of the date that it took action by motion.

Section 4.4 Planned Developments

E. Procedure

1. Submittal of Application

- a.** An application for a planned development shall be filed with the Executive Director of the City Planning Commission, in accordance with the requirements in Section 3.2, accompanied by a development plan as required by Section 4.5, and reviewed for completeness by the Executive Director.
- b.** Planned development applications initiated by the City Council require a completed application, but may be exempt from fees. If it is the intent of the City Council to waive the fees, the waiver and fee amount shall be stated in the motion initiating the request.

- c. If a zoning amendment is required or requested, that application shall accompany the application for a conditional use for reference. A zoning amendment application shall be processed according to the procedures of Section 4.2.
- d. If the proposed use requires subdivision, an application for a subdivision shall be filed prior to the issuance of a building permit. The subdivision must be completed prior to the issuance of a certificate of occupancy for the structure or use.
- e. For conditional uses subject to additional requirements from state or federal agencies, such as the Federal Aviation Administration or the Louisiana Department of Environmental Quality, all required submittals from such agencies shall be submitted with the application. Where the state or federal agency cannot verify that all requirements are met prior to approval of the conditional use, the applicant shall obtain a letter from the agency stating that the agency will verify that all requirements are met after the conditional use approval is granted.

2. Pre-Application Meeting and Project Neighborhood Participation Program

All applications for planned developments shall include a Project Neighborhood Participation Program (Project NPP). ~~A Project NPP is not required for any application for a conditional use or an amendment to an existing conditional use initiated by the City Council.~~ **Planned Development applications initiated by the City Council are subject to the Project NPP, although the property owner or owner's agent may conduct the NPP meeting in accordance with the requirements of this section. Until all required NPP documents are submitted to CPC staff, including the meeting notice letter, sign-in sheets, and NPP meeting summary, the request will not be deemed complete for the purpose of a completeness review as provided in Section 3.2.B.** The City Council may also require the party of interest to undergo the NPP process prior to the **motion being acted on by the City Council.** ~~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 planned development 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, including estimated start and end dates, ~~and a development plan for the project.~~ **known needed variances, and citations for each.**
- 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.
- 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 **typed** Project NPP and notice, **including email notification to applicable registered neighborhood associations** 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. **In addition, the applicant shall notify the City Planning Commission of the meeting date, time, and location not less than fourteen (14) days prior to the meeting. The applicant shall hold the meeting at the noticed time. The applicant shall distribute informational handouts to meeting attendees. The handouts shall include information about the applicable zoning district, registering with City notification system(s), accessing application documents and NPP meeting summary reports.** For the purposes of this section, meetings ~~may~~ **shall** be held in a physical location ~~or via other means that~~ **is in accordance with the City Planning Commission's Administrative Rules, Policies and Procedures** ~~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~~ **and the citation for the planned development.**

d. The applicant shall submit a Project NPP report with the application. The report shall provide the following information:

- vi. The names of the individuals and entities that were notified and the total number of number of people that participated in the process.
- vii. A list of the concerns, issues, and problems expressed by the participants.
- viii. 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 should state the reasons.
- ix. 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.
- x. 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)~~ **one hundred eighty (180)** 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)~~ **one hundred eighty (180)** days preceding the submittal of the Project NPP report.
- xi. **A completed sign-in sheet that includes the names, addresses, and contact information for meeting attendees.**

3. Action by the City Planning Commission

- a. The City Planning Commission shall conduct a public hearing on a proposed planned development in accordance with Section 3.4 fifty (50) days from the date the application is docketed. Notice of the public hearing is required in accordance with Section 3.3.
- b. After the close of the public hearing, the City Planning Commission shall make a recommendation. Based upon the evidence presented at the public hearing, the City Planning Commission shall evaluate the application against the applicable standards in Paragraph G below.

- c. The City Planning Commission shall recommend approval, modified approval, or denial sixty (60) days from the opening of the public hearing. **The City Planning Commission may also vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omissions in following the Project NPP. The failure to resolve a finding of incomplete or inaccurate information may be grounds for recommending denial.** If the City Planning Commission fails to act by a vote of the majority of the Commission members, the application will be forwarded to the City Council without recommendation of no legal majority. The City Planning Commission's written recommendations, together with the staff report and recommendation, if any, shall be filed with the Clerk of the City Council.

4. Action by the City Council

- a. The City Council shall hold a public hearing in accordance with Section 3.4 and take action by motion of approval, modified approval, or denial sixty (60) days from receipt of a City Planning Commission recommendation. The City Council may not take official action upon any application requiring a recommendation of the City Planning Commission until the report of the Commission has been received or, if the City Planning Commission has failed to act by a vote of the majority of the Commission members, once the application has been forwarded to the City Council without recommendation.
- b. If the City Council fails to take action by motion sixty (60) days from receipt of the City Planning Commission recommendation, the application is denied. If the application is forwarded to the City Council without recommendation from the City Planning Commission and the City Council fails to take action by motion sixty (60) days from the date it received the application, the application is denied.
- c. If the City Council takes action by motion of approval or modified approval, the City Council shall forward the motion to the City Law Department for preparation of an ordinance. Once the ordinance is introduced by the City Council, the ordinance shall layover a minimum of twenty-one (21) days before the Council may adopt it. The City Council shall adopt the final ordinance ratifying its decision within ninety (90) days of the date that it took action by motion.

Section 4.6 Variances

D. Procedure

1. Submittal of Application

All applications shall be filed with the Executive Director of the City Planning Commission in accordance with the requirements in Section 3.2.

2. Pre-Application Meeting and Project Neighborhood Participation Program

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

- a. Applicants shall first meet with the staff of the City Planning Commission to become familiar with the procedure and approval standards for variances 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, including estimated start and end dates, **known needed variances and citations for each,** and a development plan for the project.
 - 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.
 - 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, **including email notification to applicable registered neighborhood associations** 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. **In addition, the applicant shall notify the Board of Zoning Adjustments of the meeting date, time, and location not less than fourteen (14) days prior to the meeting. The applicant shall hold the meeting at the noticed time. The applicant shall distribute informational handouts to meeting attendees. The handouts shall include information about the applicable zoning district, registering with City notification system(s), accessing application documents, and NPP meeting summary reports.** For the purposes of this section, meetings ~~may~~ **shall** be held in a physical location ~~or via other means that~~ **is in accordance with the Board of Zoning Adjustments Administrative Rules, Policies and Procedures.** ~~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 should 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)~~ **one hundred eighty (180)** 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)~~ **one hundred eighty (180)** days preceding the submittal of the Project NPP report.
 - vi. **A completed sign-in sheet that includes the names, addresses, and contact information for meeting attendees.**

3. Action by the Board of Zoning Adjustments

- a. The Board of Zoning Adjustments shall conduct a public hearing in accordance with Section 3.4 forty-five (45) days from the date the application is docketed. Notice for the public hearing is required in accordance with Section 3.3.
- b. Based upon the evidence presented at the public hearing, the Board of Zoning Adjustments shall evaluate the application against the standards in Paragraph F below.
- c. The Board of Zoning Adjustments may approve, approve with modifications, or deny the application within forty-five (45) days of the close of the public hearing. **The Board of Zoning Adjustments may also vote to defer action within City Charter required timeframes in cases where it discovers applicants have not submitted complete and accurate information, including but not limited to errors or omission in following the Project NPP. The failure to resolve a finding of incomplete or inaccurate information may be grounds for denial.**
- d. The decision shall be filed in the office of the Board of Zoning Adjustments within ten (10) days of the vote. Within ten (10) days of the effective date of the decision, written notification of such action shall be mailed to the applicant, stating the action taken and including all conditions imposed and times established for satisfaction of such conditions, if any.

Appendix B

Neighborhood Participation Program Guide (Proposed Changes in Bold, Underlined Text)