



Memphis and Shelby County Office of Planning and Development

CITY HALL - 125 N. MAIN STREET, SUITE 476 - MEMPHIS, TENNESSEE 38103

TO: All Land Use Control Board applicants required to hold neighborhood meetings pursuant to Section 9.3.2 of the Memphis and Shelby County Unified Development Code

FROM: Josh Whitehead, Administrator, Memphis and Shelby County Office of Planning and Development

RE: ASSISTANCE FOR TELEPHONIC OR ELECTRONIC NEIGHBORHOOD MEETINGS DURING THE COVID-19 PANDEMIC

The purpose of this memorandum is to aid applicants required under the Unified Development Code (the "UDC") to hold neighborhood meetings during the COVID-19 pandemic.

First of all, all aspects of Section 9.3.2 of the UDC, including the mailing of the notice by the Memphis and Shelby County Office of Planning and Development ("OPD") no later than ten days prior to the neighborhood meeting, the date of the neighborhood meeting being set no later than ten days prior to the public hearing on the matter before the Memphis and Shelby County Land Use Control Board (the "LUCB"), the neighborhood meeting affording the public time to speak, etc. are still in effect and will be enforced. The only pertinent part of Section 9.3.2 affected by the COVID-19 pandemic will be the manner in which the meeting is conducted. Section 9.3.2 of the UDC is included on the second page of this memo for reference.

OPD has investigated several programs to conduct telephonic or electronic meetings, such as GoToMeeting, GoToWebinar, Zoom and Skype and can assist applicants with questions that may arise from these and other programs. All of these programs are acceptable means to conduct a telephonic or electronic meeting. Please ensure that, through whatever program is selected, a visual component is part of the presentation. This can be accomplished through either a video meeting forum or, if a telephonic forum is selected, a companion email to all of the participants or a live stream through YouTube. The primary purpose and intent of neighborhood meetings is to inform a neighborhood of a land use proposal and to accept feedback on any possible improvements. This can only be accomplished through a medium that includes visuals.

Should there be any questions about conducting telephonic or electronic neighborhood meetings, please contact the OPD Service Counter at 636-6619.

9.3.2 Neighborhood Notification and Meeting

A. At least ten days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall host and/or attend a neighborhood meeting with representatives from neighborhoods adjacent to the development site which the hearing involves:

1. Zoning changes not in compliance with any plans to be considered (see Chapter 1.9);
2. Special use permit or amendment to a special use permit;
3. Planned development outline plan or amendment to a planned development outline plan; and
4. All subdivisions except minor subdivisions.

B. Procedure

1. Where applicable, the Office of Planning and Development shall mail notification of the neighborhood meeting prepared and provided by the applicant to the following individuals: 1) the officers of any neighborhood or business associations registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the subject property; 2) all current residents of single-family and two-family dwellings within the notification area; 3) all property owners within the notification area, if different from the current residents; 4) the members of the Memphis City Council who represent the district and super-district in which the development is planned, or for areas in unincorporated Shelby County, the member of the Shelby County Board of Commissioners who represent the district in which the development is planned; and 5) all residents of multi-family dwellings within the notification area; to inform the community of the proposed development and solicit comments. If the applicant is unable to make notification to the multi-family dwellings, he or she shall provide notice to the Office of Planning and Development the reason and shall mail notification of the neighborhood meeting to the rental or management offices of all multi-family dwellings within the notification area with a request that said rental or management office post the notification in a conspicuous location within a common area(s), including, but not limited to: entry doors, hallways, mailbox areas and laundry rooms.
2. The neighborhood notification requirements shall be the same as the mailed public notice requirements in 9.3.4A. The notification shall identify the time and place of the neighborhood meeting, as well as a description and map of the project. The notification shall also include the public hearing date of when the application will be heard by the Land Use Control Board. The applicant shall contact the officer(s) of any neighborhood or business association registered with the City of Memphis Office of Community Affairs prior to determining a date for the neighborhood meeting.
3. The notification shall be prepared by the applicant and presented to the Office of Planning and Development no later than two working days prior to the date set out in the mailing requirement provided in Paragraph 5 below. The notification shall be folded, sealed and placed in stamped envelopes when presented to the Office of Planning and Development. The following items shall accompany the notification when presented to the Office of Planning and Development: a copy of the letter to be mailed to all parties, a copy of the address labels to whom notification will be mailed and a map of the notice area.
4. If practicable, the neighborhood meeting shall be held at a public building or place of worship within a one-mile radius of the subject property, or at the subject property itself.
5. If the notification package is determined to be complete by the Planning Director, the Office of Planning and Development shall mail the notification no later than 20 days prior to the hearing before the Land Use Control Board and no later than 10 days prior to the date of the neighborhood meeting. If the neighborhood notification package is determined to be incomplete by the Planning Director, the application is subject to being considered incomplete and removed from the Land Use Control Board agenda.
6. Neighborhood meetings are the sole responsibility of the applicant. Documentation of its proceedings shall also be provided to the Office of Planning and Development. The applicant may request neighborhood organizations' contact information, if available, from the Office of Planning and Development.

C. The purpose of the neighborhood notification and meeting is to inform the neighborhood of the nature of the proposed land use and development features and solicit comments. Applicants shall reserve at least 15 minutes of the neighborhood meeting for community members, businesses and/or neighborhood associations wishing to make a presentation regarding the development.

D. Any neighborhood or business association registered with the City of Memphis Office of Community Affairs whose boundaries include properties within 1,500 feet of the development area will have the opportunity to submit a Community Impact Statement (CIS). The purpose of the CIS is to provide community members a chance to give an opinion and any recommendation regarding the development project. The CIS shall not exceed 500 words. Neighborhood or business associations who intend to file a CIS must submit said statement to the Land Use Control Board or governing bodies no later than 5 days prior to the scheduled hearing date. The CIS shall be included within the staff report in a prominent position alongside the Land Use Control Board and Office of Planning and Development recommendations.