

AN ORDINANCE

**BY COUNCILMEMBERS ANTONIO BROWN, JOYCE M. SHEPERD, AMIR R. FAROKHI AND MARCI COLLIER OVERSTREET
AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE**

AN ORDINANCE TO AMEND PART III (“LAND DEVELOPMENT CODE”), PART 6 (“BUDGET AND PLANNING”), CHAPTER 3 (“PLANNING”), ARTICLE B (“NEIGHBORHOOD PLANNING”), SECTION 6-3011 ET SEQ. FOR THE PURPOSE OF IMPROVING PROCESSES THAT WILL INCREASE COMMUNITY ENGAGEMENT IN THE NEIGHBORHOOD PLANNING UNIT SYSTEM; AND FOR OTHER PURPOSES.

WHEREAS, the Neighborhood Planning Unit (“NPU”) system was established in 1974 by the late Mayor Maynard Jackson to provide an opportunity for all citizens to actively participate in the Comprehensive Development Plan; and

WHEREAS, the twenty-five NPUs representing citizens across the city are the official venues to offer recommendations on matters ranging from zoning and land use, to special events and alcohol permits; and

WHEREAS, the NPU system has evolved to provide input on a wide range of community issues including advances in technology, conflict resolution, and training; and

WHEREAS, less than three percent of eligible residents currently participate in the NPU system under its current structure; and

WHEREAS, NPUs are entities of the City of Atlanta and receive City funding for their operation; and

WHEREAS, allowing for modest code adjustments and clarity will improve meeting management and the engagement of citizens, ultimately increasing membership; and

WHEREAS, the NPU system may benefit from a modernization of their processes and procedures for the purposes of further increasing engagement and inclusivity; and

WHEREAS, allowing NPUs to maintain their individuality, while bringing uniformity to certain processes, will help the NPU system continue to be the City’s official forum for civic engagement.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, AS FOLLOWS:

SECTION 1: That Part III, Part 6, Chapter 4, Article B, Sections 6-3011 et seq. is hereby amended and shall read as follows (with new language underlined and deleted language stricken):

Sec. 6-3011. - Statement of policy and purpose.

The council finds that it is in the public interest for the City of Atlanta to have an organized program of neighborhood planning. It is the purpose of this article to provide an opportunity both for the citizenry formally to provide input into the comprehensive development plan of the city and to provide a means by which information concerning the operation of city government can be provided to the citizens of Atlanta. Further, it is the policy of the city to coordinate the recommendations of neighborhood planning units with the formulation of the city's budget, both capital and operating, in order that the comprehensive development plan be an effective policy guide for the orderly development of the city.

Sec. 6-3012. - Definitions.

As used in this article:

- (1) *Neighborhood* means a geographic area either with distinguishing characteristics or in which the residents have a sense of identity and a commonality of perceived interest, or both. Factors that may contribute to neighborhood identity include shared development, history, architecture, social and economic relationships, physical boundaries and the existence of one or more broadly representative neighborhood organizations devoted to neighborhood preservation and improvement.
- (2) *Neighborhood planning unit*, hereinafter also referred to as ~~N.P.U.~~NPU, means (1) a geographic area composed of one or more contiguous neighborhoods, which have been defined by the department of city planning, and development and neighborhood conservation based on criteria previously established by the department and approved by the council for the purpose of developing neighborhood plans and (2) a body of residents of such geographic area organized for the purpose of engaging in comprehensive planning matters affecting the livability of neighborhoods.
- (3) *Resident* shall mean any person ~~17~~18 years of age or older whose primary place of residence is within the neighborhood planning unit, or any corporation, organization, institution or agency which owns property or has a place of business or profession within the ~~N.P.U.~~NPU Each resident may hold office in only one ~~N.P.U.~~NPU Each resident, meaning any person who resides within the ~~N.P.U.~~NPU, or any corporation, organization, institution or agency which owns property or has a place of business or profession, shall have one vote and shall have the right to exercise that vote on all issues which come before the ~~N.P.U.~~NPU; provided that an ~~N.P.U.~~NPU may adopt bylaws calling for representative voting, as long as the adoption and revision of such bylaws is by vote open to all such residents without attendance requirements, dues payments, or any other limitation.
- (4) *Council district planning committee* means a body of residents of a council district formed from representatives of the neighborhood planning units to coordinate council district plans. The council member for the district may initiate the organization of these committees, but may not hold any office in any of the committees. These committees may continue in existence from year to year.

Sec. 6-3013. – Neighborhood planning units.

- (a) *Designation.* The department of city planning, and development and neighborhood conservation shall designate neighborhood planning units, as defined in section 6-3012(2)

of this chapter, which shall include all areas of the city. ~~N.P.U.~~NPU 's may comprise as many, or as few neighborhoods as practicable and may cross council district boundaries. The designation of the ~~N.P.U.~~NPU shall be based on criteria previously established by the department of city planning and development and approved by the council, and shall include the consideration of existing citizens' organizations' boundaries which may exist at the time of designation, as well as provisions for the change of neighborhood boundaries when necessary. Each neighborhood may only be represented by one NPU.

- (b) *Preservation of information.* The ~~bureau of~~department of city planning shall make available to neighborhood units basic information, including but not limited to, the areas of land use, transportation, community facilities, programmed capital improvements, housing, human resources, social and recreational programs, environmental quality, open space and parks and citizen involvement in planning and zoning to assist them in neighborhood planning activities. This information shall be presented in such a manner as to be readily recognizable to the residents of each ~~N.P.U.~~NPU. This information shall be presented graphically when practicable.
- (c) *Neighborhood planning units.* The neighborhood planning unit may recommend an action, a policy or a comprehensive plan to the city and to any city agency on any matter affecting the livability of the neighborhood, including, but not limited to, land use, zoning, housing, community facilities, human resources, social and recreational programs, traffic and transportation, environmental quality, open space and parks; assist city agencies in determining priority needs for the neighborhood; review items for inclusion in the city budget and make recommendations relating to budget items for neighborhood improvement; and advise the ~~bureau of~~department of city planning on the preparation of the ~~15 and five-~~ and fifteen year comprehensive development plans.
- (d) *Accountability.* Neighborhood planning units shall be accountable to the residents of the area they represent.

Sec. 6-3014. - Public hearings.

- (a) *Manner in which hearings are to be held.* The ~~bureau of~~department of city planning shall hold hearings to focus on the six study areas as defined in the currently adopted comprehensive development plan. Said hearings shall be held in such a manner that there be not less than one public hearing for each study area prior to the preparation of any comprehensive development plan.
- (b) *Notice.* The city shall provide notice of the number of hearings and their dates, times and places. Such notice shall be provided through advertising in a newspaper of general circulation, included on the regular ~~N.P.U.~~NPU agenda ~~mail-out~~ and ~~provided as a public service announcement.~~ placed on the NPU website.

Sec. 6-3015. - Schedule of citizen involvement.

- (a) The mayor shall prepare a schedule of citizen involvement regarding the draft of the comprehensive development plan. This report shall be presented to the community development/human resources committee at a regularly scheduled meeting in January of the year in which the plan is to be updated.
- (b) The mayor shall coordinate citizen participation in planning, under provisions of this article and shall be responsible for advising the council on citizen plans.

Sec. 6-3016. - Bylaws.

(a) (1) ~~N.P.U.~~NPU bylaws shall be submitted to the ~~bureau of~~department of city planning no later than September 30 of each year for compliance with city code requirements. The department of city planning shall prepare and make available bylaw templates for use by NPUs beginning August 1. The templates must include, but not be limited to, processes for membership, the conduct of meetings, elections procedures, voting procedures, voting eligibility, roles and responsibilities of officers, and standing committees. Elections and voting procedures must be consistent with the terms section forth in Code sections 6-301 and 6-3017. The department of city planning shall review, revise, and approve bylaws by October 31 of each year. If bylaws are not submitted by this date, the department of city planning may implement recommended bylaws to extend existing bylaws for the next year.

(2) Said bylaws shall become effective from November 1st of the current year through October 31st ~~January 1st~~ of the following year.

(3) This article (Code sections 6-3011 through 6-3019) shall be attached as an exhibit to the bylaws of each ~~N.P.U.~~NPU with each annual submission to the bureau of planning.

- (b) All neighborhood planning units shall have bylaws for their members to follow which shall be approved annually by a majority of the residents (as defined in section 6-3012(3)) of the ~~N.P.U.~~NPU in attendance at the meeting where the bylaws are voted upon. *At said meeting there shall be no restrictions upon a resident's right to vote on the approval or disapproval of the bylaws.* These bylaws shall be filed with the department of city planning, development and neighborhood conservation. The bylaws shall be reviewed and approved annually by the ~~bureau of~~department of city planning and the neighborhood planning unit for clarity as to voting procedures, representativeness of all interested parties within the neighborhood planning unit, and a description of the duties of any subcommittees or officers.
- (c) Recommendations of an ~~N.P.U.~~NPU shall not be accepted by the council until the ~~N.P.U.~~NPU has complied with subsection (a) above.

Sec. 6-3017. - Elections.

- (a) All NPUs shall use the nominating, qualification, and voting process developed by the department of city planning.
- (b) NPU officer elections must be administered and certified by the municipal clerk.
- (c) Elections shall take place during October or November of every calendar year, only after bylaws are validated and approved by the department of city planning. If an election(s) has not been held by November 30. Said election(s) shall be conducted by the ~~bureau of~~department of city planning ~~during the month of December~~during the next regularly scheduled meeting of that NPU.
- (d) Nominations must be allowed from the floor at the time of the election.
- (e) Any person holding the office ~~of chairperson or equivalent, which means presiding officer,~~within an NPU must be a ~~person~~resident as defined in section 6-3012(3) 18 years of age or older whose primary place of residence is within the particular NPU.
- (f) Any person aggrieved by an election result may request an investigation by the department of city planning. If the matter remains unresolved following the investigation, that person may appeal from such result to the Superior Court of Fulton County.

Sec. 6-3018. - Voting procedures.

- (a) Voting procedures shall be established approved by each neighborhood planning unit the department of city planning as part of the NPUs bylaws submission. Although the procedure may vary among neighborhood planning units, bylaws describing them. Voting procedures shall contain provisions delineating the eligibility of voters within the neighborhood planning units and the voting process itself for issues. as well as officer elections. NPUs may impose voting restrictions of up to two meetings within a twelve month period.
- (b) Each resident as defined in section 6-3012(3) shall represent one vote and may hold office in only one ~~N.P.U.~~ NPU.
- (c) All NPU and committee meetings must be open to the public.

Sec. 6-3019. - NPU boards and membership.

- (a) All NPU boards should be uniform and consist of a chair, vice-chair, secretary, parliamentarian, and one designee from each registered neighborhood association (with monthly public meetings) within the NPU boundaries.
- (b) Each resident as defined in section 6-3012(3) shall serve on their NPU board for no more than two consecutive terms in the same position, and no more than three consecutive terms in any capacity. This provision shall begin with the effective date of this ordinance.
- (c) Each household within a particular NPU may only have one representative on that board at any given time.
- (d) All NPU board members shall take conflict resolution training and training on parliamentary procedures annually, as scheduled by the department of city planning. NPU board members that do not meet all training requirements may be removed from office by the department of city planning.

Sec. 6-3020. - NPU operations.

- (a) NPUs shall have access to city facilities to hold regular monthly meetings.
- (b) The city shall designate an NPU coordinator and additional staff from the department of city planning to attend all monthly meetings. The NPU coordinator shall be the primary contact person to support NPUs, and shall possess skills to address and resolve inter-unit conflicts.
- (c) The department of city planning shall maintain a website with information about the time and location of NPU meetings, agendas, minutes, and other related materials.

Sec. 6-3021+9. - Prohibitions of political forums.

- (a) Neighborhood planning unit meetings shall not be used for political forums or campaigning for city, county, state, or federal elections.
- (b) NPUs shall be prohibited from establishing accounts with financial institutions.

SECTION 2: That this Ordinance shall take effect its adoption.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict only.