



Case Management System for Development Review Policies & Procedures

The Mission of the Planning & Design Services is:
To oversee land use planning and design services in directing economic growth and physical development in a manner as to ensure the prosperity, health, safety, and general welfare of the community.

Adopted July 1, 2017
Louisville Metro Planning & Design Services

Introduction

The Case Management System was developed in 2006 with the input of many individuals and agencies. The consensus gained, through feedback from stakeholder groups and staff over an 18 month period, (background work and a workout session conducted by Management Partners, Inc.) was that the current development review system should be improved. A core committee of staff from the Dept. of Planning & Design Services began to address this task by evaluating the process and determining how things are currently done. The committee mapped the current process and started looking at ways to improve the quality and efficiency of development review, while maintaining the parts of the system that already worked well. A subcommittee of representatives from all primary review agencies was also consulted. This committee assisted in development of a method of distribution and timeline for reviewing cases. The basic concept was vetted through a stakeholders group, representative of the key participants in the development community as well as two subcommittees of the Planning Commission. The full Planning Commission amended adopted policies and bylaws to support implementation of this new development review system.

This document applies to the following Commissions, Boards and Committees Conducting Public Meetings for Development Proposals:

- Board of Zoning Adjustment
- Planning Commission
 - Development Review Committee (DRC)
 - Land Development & Transportation Committee (LD&T)
 - Policies and Procedures Committee
 - Planning Committee
- Overlay Review Committees (Bardstown/Baxter, Downtown, NuLu)

The general steps in the Case Management process include:

Project Submittal (Intake)

All application materials will be submitted to Planning & Design Services at the Metro Development Center. The weekly filing deadline to be included in that weeks agency distribution will be Mondays at 2:00 pm. In the event of a Monday or Tuesday holiday, the deadline will be Friday at 2:00 pm.

Materials will be reviewed to ensure a complete submittal containing all required applications, fees, signatures, plans or other items stated on the corresponding submittal checklist(s). Agency preliminary approvals are not required. Each request will be entered into a log or database system for tracking and will be assigned a case number. Materials will be compiled with a case file and placed in an appropriate area to be picked up by the development review team to which it is assigned.

Cases will be distributed by the supervisors over development review teams in the office of Planning & Design Services. Distribution will be based upon work load as well as areas of expertise as much as possible. Cases with multiple applications/requests will be handled by a single case manager to the greatest extent possible.

A Weekly Activity Report, including each new application/project, will be sent to persons who are registered to receive electronic notices. This notice will indicate the case number, the location of the subject property and the type of request that is being reviewed. The purpose for this report is to provide notice of when a case is submitted into the development review process. This notice will not indicate dates for public meetings and does not replace formal notices which will be mailed to adjoining property owners and interested parties in advance of public meetings later in the review process.

Multi-Agency Review

For initial submittals, including pre-application and formal application submittals, agencies will have two weeks to provide development review comments (16 days after the Monday deadline). A multi-agency review meeting will be conducted weekly. All agency reviewers are invited and encouraged to attend.

At this meeting, project materials will be distributed for review. Prior to comments being forwarded to an applicant, reviewers will use this meeting for a discussion of key issues pertaining to each development application and resolution of any conflicting comments or requests. The Weekly Activity Report will be used as the agenda for this meeting, which will be generated and managed by Planning & Design Services.

The case manager will be responsible for ensuring that comments from all reviewing agencies are provided within 24 hours following the multi-agency review meeting. Comments will be provided to the key contact person for the request as indicated on the application. In addition, the owner or developer of the subject property should be provided comments. Issues that could affect the viability of proposed development should be provided to the applicant in the first round of agency comments to the greatest extent possible.

Pre-Applications – For cases requiring a pre-application, applicants will be contacted by the case manager to set a time for an optional pre-application conference. Neighborhood meetings conducted by the applicant must be noticed in accordance with the Land Development Code (LDC), and conducted prior to formal filing.

Overlay Cases – Within the first review cycle, the Urban Design Administrator shall classify Overlay cases to be an expedited or non-expedited review.

Materials Revision

Revised plans and/or additional materials requested by multi-agency reviewers shall be submitted to the Planning & Design Services Customer Service Desk no later than 2:00 p.m. on a Monday. The applicant may choose the date of revision submittal. Submittal on the earliest possible submittal date will ensure the most expedient process. Revised submittals and materials will be given a one week review period (9 days after the Monday deadline).

Cases for which revised plans and/or materials are not submitted within 1 year shall be removed from the review process. If revised materials are submitted after this time, a new application, plans, supporting information and applicable fees will be required. A new case number will be assigned and the request will be reviewed as a new submittal. Extensions of this deadline must be submitted in writing and may be approved by the Planning Director or designee in unique circumstances.

A complete re-design of a project that has not been directed by reviewers through agency review comments is considered voluntary and will require another two week multi-agency review.

Revised plans will be accepted and distributed in the same manner as initial submittals. Revised materials will be forwarded to the assigned case manager.

In accordance with the Land Development Code (LDC), final or revised materials for Zoning Map Amendments, Conditional Use Permits and Variances must be submitted no less than fourteen (14) calendar days prior to an original public hearing, or seven (7) calendar days prior to a continued public hearing date.

Obtaining Agency Stamps

After all agency review comments have been addressed by the applicant, agency stamps, or signatures on a multi-agency stamp, will be applied to the project plans. Stamps shall be affixed to plans prior to any public meeting at which the plans are to be considered. Any case that does not receive agency preliminary approvals by the date of the Board, Commission or Committee meeting may be recommended for continuance.

Overlay Cases – Agency stamps are not required for Overlay cases, unless it is being reviewed in conjunction with another development plan application.

Docketing Cases for Public Meeting

Case Managers will be responsible for placing cases that require a public meeting on the appropriate docket. For cases requiring consideration by multiple boards or committees, the case manager will coordinate the sequencing of public meetings and possible joint meetings.

The case manager will ensure the applicant is aware of all outstanding agency concerns prior to docketing any case for a public meeting. If necessary, staff will schedule a pre-hearing conference to discuss agency comments and recommendations.

Notification for Public Meeting

Current notification requirements of Kentucky Revised Statutes (KRS), the Land Development Code (LDC) and Policies and Procedures of the Boards and Commissions will be adhered to. Applicants are responsible for providing the names and mailing addresses of persons required to receive notice. Staff will ensure that applicants have notices in their possession with adequate time to meet notification requirements.

Notification of Filing of Application – Not applicable to Overlay cases

In an effort to provide notice to citizens of applications filed with Planning & Design Services, and to comply with the early notification procedures adopted by the Planning Commission, the following procedures will be in effect starting August 1, 2015.

At the conclusion of the first review of an application, the case manager shall make one of the following determinations; 1) that the case can be approved at staff level, 2) the case is in sufficient order to send notices for a public meeting in front of the appropriate Board, Commission or Committee, or 3) notices need to be mailed to satisfy the early notification requirement. If option 3 is necessary, the applicant shall be responsible for creating and mailing the notice, and shall bear the cost of the notices. The applicant may send this notice at any time after filing the application, and within the 17 day deadline.

For pre-applications for Zoning/Form District Map Amendments, Conditional Use Permits or Conservation Subdivisions, the applicant shall send notice of filing of the pre-application or for the required neighborhood meeting within seventeen (17) days following the submittal deadline date of pre-application submittal.

Staff Reports

Staff reports will be complete and in the project file prior to any scheduled public meeting. All staff reports will adhere to the published Staff Report Policies & Procedures document for the department. Supporting information such as maps, letters, memos, studies, etc. shall be provided to the Boards, Commissions and Committees.

Case File Complete / Closed

Prior to a public meeting, the case file will be closed. No additional materials should be added to the case file once this occurs. The purpose for this is to ensure that all interested parties have an opportunity to review the complete case file prior to the meeting. All materials that any interested party wishes to be included in a distribution to the committee, board or commission must be in the file and in the appropriate quantity (if not reproducible in a standard photocopy size).

Public Meeting

Cases will be prepared, noticed and docketed for the appropriate public meeting in accordance with Kentucky Revised Statutes (KRS), the Land Development Code (LDC), Louisville Metro Code of Ordinances (LMCO) and Policies and Procedures of the Boards and Commissions. When cases require approvals from multiple boards or committees, the case manager will facilitate a process and schedule for setting the case on the necessary agendas/dockets.

Meeting agendas and case information will be posted online at least 5 days before the scheduled meeting.

Special Circumstances

Staff Approvable Cases

Cases which meet the criteria to be approved at the staff level may be approved after all agency comments have been satisfactorily addressed. These cases will not be noticed or docketed for a public meeting. After staff approval, plans will be transmitted to the appropriate permitting agencies.

Expedited Cases

Cases may be expedited at the discretion of the case manager. Cases which do not require revisions, or which require only minor modifications, may be noticed and docketed after the initial multi-agency review. An example of cases which will typically be expedited includes; variances, minor plats, parking waivers, LDC waivers, etc. These are generally stand alone actions not related to a complex development plan, change in zoning or conditional use permit. Combined cases with several different requests cannot be expedited.

Cell Towers

Because there is a statutory time limit on consideration of applications for cell towers, staff will ensure these requests are placed on a docket for consideration by either DRC or LD&T in a timely manner. It is necessary for one of these committees to determine whether a full public hearing should be held in order for the commission to decide the case. This may require either expediting the case, or taking the case to a committee for the determination regarding a public hearing prior to completing the full review process. Even in this situation, the review process can be completed before final action is taken on the request. The review process for cell tower cases will have to be tailored for the particular situation and the case manager must ensure an adequate and full review prior to final action whether that occurs at the committee level or whether the case is forwarded to a full public hearing.

Community Facility Reviews

Because there is a statutory time limit on action for Community Facility Reviews (CFR) , staff will ensure these requests are processed in a timely manner. For each CFR review, Planning and Design Services will determine if the case will be approved by staff, or will be forwarded to a Committee of the Planning Commission. For larger projects, staff will encourage the submitting agency to hold a neighborhood meeting.

Legislative Body Approval

Cases requiring legislative body approval will be transmitted to that body by staff of Planning & Design Services. Legislative action is outside the purview of this case management system.