

## **NPU-F BY-LAWS**

### **Article I**

Neighborhood Planning Unit – F (NPU-F) is hereby established for the purpose of advising the City of Atlanta including Mayor, Council, and any Department or official of the City, on all matters affecting the environment of, the well-being of, and the general livability of the neighborhoods within NPU-F as defined by the Bureau of Planning and approved by the City Council.

### **Article II**

MEMBERSHIP. Any person 18 years of age or older whose primary place of residence is within NPU-F, or any corporation or other business entity, organization, institution, or agency that owns property or has a place of business or profession within NPU-F is eligible for membership in NPU-F.

### **Article III**

MEETINGS. NPU-F shall meet in regular monthly session upon the call of the Chairperson. These meetings will be held on the third Monday of each month at 7:00 pm. Should the date of a regularly scheduled meeting need to be changed, this would be done by NPU-F vote and subsequent petition to the City of Atlanta Department of Planning. At such meetings, each member as defined in Article II, Membership, shall have one vote. In addition, NPU-F shall meet in November of each calendar year for the principal purpose of elections. All meetings of NPU-F, its Executive Committee, and its Committees shall be open to the members of NPU-F and notice of such meetings shall be publicized as much as reasonably possible. In situations where City of Atlanta deadlines require that a decision be made by NPU-F, on matters that fall between NPU-F monthly meetings, the Executive Committee shall be authorized to take a vote of the Committee via telephone conference call or other electronic means, as the Chairperson may designate.

AGENDA NOTICE REQUIRED. A final vote by NPU-F to recommend that an action be taken by any official or governmental body, except for a recommendation that such official or governmental body defer action on a matter to a later date, can only occur if the matter has been printed on the agenda notices mailed out by the City to the NPU-F mailing list or published on the City of Atlanta NPU website prior to the NPU-F meeting, provided however that this requirement of agenda notice may be waived upon an affirmative 80% majority vote of all of those qualified voters in attendance at such meeting.

VOTING. Each resident, as defined in Article II, Membership, shall have one vote, to be cast in person. Corporations, other business entities, organizations, institutions, agencies, businesses or professionals shall, by notarized letter of appointment, designate one person as voting representative. For corporations, the voting representative shall be either the president or vice president. For sole proprietorships, the voting representative shall be the sole proprietor. For partnerships, the voting representative shall be either a general partner or a managing general partner, and if such partner is a corporation or other business entity, the voting representative shall meet the requirements applicable to such business entity. For limited liability companies, the voting representative shall be either the manager or the managing member, if such entity is member managed, and if such manager or member is a corporation or other business entity, the voting representative shall meet the requirements applicable to such business entity. For organizations, institutions, or agencies, the voting representative shall be the executive director of such organization, institution, or agency. For professionals, the voting representative shall be the individual person conducting such profession within NPU-F.

That Designee shall have one vote, to be cast in person. Corporations, other business entities, organizations, institutions, agencies, or professions owning more than one piece of property or having more than one office or place of business or profession within NPU-F shall have only one vote which shall represent the primary property, office or place of business or profession in NPU-F.

Any resident, as defined in Article II, Membership, desiring to vote at an NPU-F meeting, shall sign in on an official sign-in sheet. He/she shall list his/her address and present reasonable proof of residency.

The Designee of the corporation, other business entity, organization, institution, agency, or profession shall sign in on the official sign-in sheet and shall present the notarized letter of authorization appointing them such designee, reasonable proof of such designee's identity, proof of such designee's office with such entity and authority in the form of a certificate from the corporate or company secretary of such entity, and proof of the entity's location within NPU-F in the form of a copy of a business or professional license and a copy of a current tax bill reflecting ownership by such business or other entity of real property within NPU-F or a current lease reflecting the lease by such business or other entity of property within NPU F. After properly signing in, each person shall be issued a voting card (or chit) to be used to cast any official vote. Only one voting card (or chit) shall be issued to any person.

The Chairperson of NPU-F (or his/her designee) shall have final discretion in determining if "reasonable proof" of residency, identity, and authority has been presented for qualification as a voter. The Chairperson of NPU-F may or may not vote at his/her discretion, but must cast a vote in the case of a tie.

CONFLICT OF INTEREST. Any member, Officer, or Committee Chairperson must make a full disclosure of any direct financial interest he or she may have in any issue before NPU-F begins discussion of the issue, and he or she may not vote on such issue.

QUORUM. A quorum of NPU-F shall consist of 15 members in attendance. Once a meeting is convened, it may proceed whether or not a quorum is maintained.

OFFICIAL ACTION. For the purpose of clarification of Robert's Rules of Order that "majority vote... means more than half of the votes cast by persons legally entitled to vote excluding blanks or abstentions...", abstentions are not counted in the total count of votes cast and in calculating a majority (50% + 1)

#### **Article IV**

FUNCTIONS, POWERS AND DUTIES. NPU-F may recommend to the City (or to any City Department or official) any action, any plan or any policy 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 spaces and parks. NPU-F may also assist City agencies in determining priority needs for the neighborhood, and may review items for inclusion in the City budget and make recommendations relating to budget items for neighborhood improvement.

#### **Article V**

EXECUTIVE COMMITTEE: The membership of the Executive Committee shall consist of the Chairperson; Vice-Chairperson; Secretary; Parliamentarian; two designees each from the civic

associations within NPU-F that are officially recognized by the city; two designees from the Virginia-Highland Business Association; and the Chairperson of each Committee. All members of the Executive Committee must be members of NPU-F and the Executive Committee shall seek to be representative of NPU-F.

The Officers of NPU-F shall serve in the same capacity on the Executive Committee. Each member of the Executive Committee shall have one vote to be cast in person, and in the case of Co-chairs of any Committee, each Committee shall be entitled to one vote to be cast in person by said Co-chair. Any civic association located within NPU-F and recognized by the City of Atlanta, or any business association whose members have a place of business within NPU-F, may petition at a general monthly meeting of NPU-F to be added to the Executive Committee. Election to the Executive Committee will require a two-thirds (2/3) vote at the next monthly meeting of NPU-F.

The Executive Committee shall meet upon the call of its Chairperson. A quorum shall consist of 8 members in attendance.

The Executive Committee shall have the following duties and functions:

1. To call special meetings of NPU-F.
2. To serve as a Committee to advise interested persons and agencies in City government with respect to general government as defined in the City's Comprehensive Development Plan.
3. To act as a nominating committee for Officers and the Chairpersons of the various Committees of NPU-F.
4. To speak on behalf of NPU-F to the City, or to any City department or official on any matter upon which NPU-F can speak, within the guidelines established by NPU-F at its meeting.
5. To inform the residents of NPU-F of any proposal or action occurring.
6. To establish and abolish ad hoc committees as needed.
7. To create and amend the "Policy Sheet". Members may recommend actions and policies for the Policy Sheet upon proper motion made, seconded, and affirmative vote. The Executive Committee shall then accept such policy and such changes or additions shall take effect at the next regular monthly meeting.

#### **Article VI**

The Officers of NPU-F shall be a Chairperson, Vice-Chairperson, and Secretary. The Officers and a Chairperson for each Committee shall be elected by NPU-F at a meeting to be held in November of each calendar year to serve until their successors are elected and qualified, or until earlier resignation, removal or death. The terms of each office will be one year and there will be no established term limits.

The Executive Committee shall serve as a nominating committee and shall nominate one or more persons to fill each office position. The Executive Committee shall submit such nominations to the members at the October meeting of each calendar year. The floor shall be open for additional and opposing nominations at both the October and November meetings. Any member of the Executive Committee who ceases to be a member of NPU-F shall be disqualified and his or her position shall be declared vacant by the Executive Committee. By a two-thirds (2/3) vote of the entire Executive Committee, any elected Officer or Committee Chairperson may be recalled. Whenever any vacancy shall occur for any reason, the Executive Committee may select a person to fill such vacancy until the next annual election meeting of NPU-F.

The duties of these Officers shall be as follows:

#### **Chairperson:**

The Chairperson shall be the chief executive officer of the NPU-F. The Chairperson shall preside at all meetings, shall have general and active management of the business of NPU-F and shall see that all orders and resolutions are carried out. The Chairperson shall direct the Committee Chairs and provide updated status reports at meetings. The Chairperson shall represent NPU-F at APAB or designate a representative and/or alternate. The Chairperson may appoint Ad Hoc committees to address timely issues. The Chairperson shall carry out any other duties as may be designated by the general membership.

**Vice-Chairperson:**

The Vice-Chairperson shall have the duties as shall be prescribed by the Chairperson and in the absence of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson. When acting as Chairperson, the Vice-Chairperson shall have all the powers and duties and be subject to the restrictions upon the Chairperson.

**Secretary:**

The Secretary shall be responsible for taking minutes of general and board meetings.

**Article VII**

**COMMITTEES.** There are hereby established the following Committees in NPU-F:

- 1. Zoning and Economic Development:** This committee shall consider matters of land use, zoning, housing, urban design, transportation (mass transit, streets and highways, parking, bicycles, pedestrians), employment, economic development, real estate and investment and tax base and taxation and shall make recommendations to NPU-F concerning these areas. Membership in the committee shall be open to all interested NPU-F members. The voting members of the committee shall be the committee chairperson, any co-chairs, the NPU-F Chairperson, the NPU-F Vice Chair, the Alcohol Licenses and Permits Committee Chair and one designated representative of each of the recognized civic associations within NPU-F. All recommendations to NPU-F for decisions related to matters to be heard by the Zoning Review Board or involving adoption of or amendments to the Comprehensive Development Plan shall be made by the Zoning and Economic Development Committee.
- 2. Public Safety:** This committee will consider all questions having to do with the police services, fire services, courts and civil defense, and shall make recommendations to NPU-F concerning these areas.
- 3. Parks, Trees and Environment:** This committee shall consider matters dealing with parks, trees, tree ordinance violations, open space, recreation, libraries, and cultural affairs, flood control, water, sewage, runoff and pollution, and shall make recommendations to NPU-F concerning these areas.
- 4. Alcohol Licenses and Permits:** This committee will monitor and recommend action regarding licenses and permits for adult entertainment, alcohol sales at establishments operating or desiring to operate within NPU-F, and other business as deemed necessary for the NPU review by the City Code of Ordinances related to the License Review Board, and shall make recommendations to NPU-F concerning these areas.
- 5. Education:** This committee shall consider matters relating to education and make recommendations to NPU-F concerning these areas.
- 6. Ad Hoc committees:** The Chairperson, with the consent of the NPU, may appoint ad hoc committees to address special issues or concerns in the NPU-F for issues that may impact two or more neighborhoods. Ad Hoc committees will be appointed for no more than one year, but may be extended by a vote of the NPU.

There is no limit to the number of committee members.

## **Article VIII**

The procedures and rules of the meetings of NPU-F shall be guided by the current edition of *Robert's Rules of Order*. A Parliamentarian shall be appointed by the Chairperson of NPU-F to serve until the appointment and qualification of his/her successor and shall be considered a member of the Executive Committee. The Parliamentarian shall also serve as timekeeper during presentations which are restricted by time limits. In addition to these By-Laws, explicit reference is hereby made to the Atlanta Code of Ordinances, Part 6, Article B – Sections 6-3011 through 6-3019, which governs Neighborhood Planning Units. Where conflict exists between the By-Laws and the ordinance referenced, the city ordinance shall govern.

## **Article IX**

**AMENDMENT.** These By-Laws may be amended at any meeting if the agenda notice published for such meeting gave notice that amendments to the By-Laws would be considered at such meeting, if a quorum is present, and if such amendments are approved by a two-thirds (2/3) affirmative majority vote of all qualified voters in attendance. The By-Laws adoption must be approved by a two-thirds (2/3) vote of the members of NPU-F in attendance at the meeting where the By-Laws are voted upon. The approved and amended By-Laws shall be submitted to the Bureau of Planning of the City of Atlanta no later than September 30 of each year.

The Executive Committee may establish actions and policies for NPU-F to be contained in a document known as the "Policy Sheet", instead of revising and amending the By-laws, if such actions and policies are not otherwise in conflict with the By-laws. The "Policy Sheet" shall be attached to and made a part of the By-laws.

## **Article X**

**ZONING MATTERS – COORDINATION WITH NEIGHBORHOOD CIVIC ASSOCIATIONS.** There are five (5) neighborhood civic associations currently recognized by NPU-F within its boundaries, the Edmund Park Neighborhood Association ("EPNA"), the Lindridge-Martin Manor Neighborhood Association ("LMMNA"), the Morningside-Lenox Park Association ("MLPA"), the Piedmont Heights Civic Association ("PHCA") and the Virginia –Highland Civic Association ("VHCA"). With respect to matters heard by the Board of Zoning Adjustment, it is NPU-F's preference that any zoning matters within the jurisdiction of NPU-F initially are reviewed by the affected civic association so that NPU-F may be informed of the civic association's view on any such zoning matter prior to NPU-F making its own independent decisions with respect to any such matters.

With respect to matters heard by the Zoning Review Board, and matters related to adoption of or amendments to the City of Atlanta's Comprehensive Development Plan, although it is also NPU-F's preference that such matters be initially reviewed by the affected civic association, the affected civic association's recommendation for these matters shall be made to the Zoning and Economic Development Committee, and the Zoning and Economic Development Committee shall be the sole body that makes the final recommendation on such matters to NPU-F, prior to NPU-F making its own independent decisions with respect to any such matters.

### **AREAS OF INTEREST.**

**Lindridge Martin Manor Neighborhood Association:** There are two Areas of Interest to the LMMNA within NPU-F, which abut each other. The Eastern section is bounded by the Southern Railway on the North, Cheshire Bridge Road on the South and Piedmont Road on the West. The Western section is bounded by Peachtree Creek to the North, Piedmont road to the East, Interstate 85 to the South and the Marta rail line to the West. These are each an "Area of Interest" for the LMMNA. It is NPU-F's preference that all zoning matters in the Area of Interest which fall within the purview of NPU-F will

be initially reviewed by the LMMNA in advance of NPU-F's vote on such matters so that NPU F may be informed of LMMNA's view on any such zoning matter prior to NPU F making its own independent decisions with respect to any such matters.

**Piedmont Heights Civic Association:** There are two Areas of Interest to the PHCA within NPU-F. The area in NPU-F bounded by I-85 on the south, Clear Creek on the west, Peachtree Creek on the north and Piedmont Road on the east, and the area bounded by the Southern Railway on the North, Cheshire Bridge Road on the South and Piedmont Road on the West are each an Area of Interest for the PHCA. It is NPU-F's preference that all zoning matters in the Area of Interest which fall within the purview of NPU-F will be initially reviewed by the PHCA in advance of NPU-F's vote on such matters so that NPU-F may be informed of PHCA's view on any such zoning matter prior to NPU F making its own independent decisions with respect to any such matters.

#### **BELTLINE OVERLAY DISTRICT**

NPU-F supports the established design guidelines for new development in the BeltLine Overlay District. Specifically, it is NPU F's intent to uphold the design guidelines to preserve historic and natural resources while promoting pedestrian access and connectivity near the BeltLine in order to create more walkable, livable communities. In principle, NPU-F opposes variances to any Overlay District requirements.

All BeltLine Overlay District Special Administrative Permit ("SAP") requests will be transmitted by e-mail to the members of the NPU-F Zoning Committee. If the members desire a discussion and review of plans, and the SAP comment period falls short of the next Zoning Committee meeting, a special meeting may be called. If the meeting is not called, the NPU-F BeltLine Overlay SAP standards will be followed.

Upon completion of SAP review, the NPU Chair or Zoning Chair shall send any comments, questions or concerns about the application to the Bureau of Planning with a request for response from the department prior to the issuance of a permit. All SAP actions will be reported at the next meeting of NPU-F.

#### **DATES OF REVIEW AND/OR AMENDMENT**

Gayle F. Burbidge: 11/16/81, 11/15/82

Charles T. Huddleston: 12/19/88

Mae Reich: 2/13/90, 5/7/91, 11/94

Debbie Skopczynski: 11/96, 10/2015, 9/2016

Robert Silvia: 11/97, 5/19/99

Aaron Gross: 9/22/00, 9/02, 9/03

Dianne Olansky: 8/04, 9/05, 7/06, 9/07, 9/08

Jane Rawlings: 10/09, 10/10, 10/11, 11/12, 11/13, 11/14