

UNIFIED DEVELOPMENT CODE APPEALS CLARIFICATION

A new definition will be added:

***Aggrieved Party.** For the purposes of appeal of a decision, an aggrieved party is any person or persons or entity or entities who can demonstrate that their property will be injured by a decision regarding or anyone who has received notice of a pending decision of the following applications: text (ordinance) or map amendment (zoning change), special use permit, variance, administrative exception, planned unit development, sign permit, zoning interpretation, temporary use permit, or zoning appeal.*

Appeal language for applications will be edited to reflect this new definition:

"the applicant or an aggrieved party may appeal..."

Under the existing ordinance ZBA Special Exception Approvals and MPC Use Approvals are **final** and do not get forwarded to the governing body, **unless appealed**. In other words, currently the Parish Commission and the City Council solely act as an appellant body in regards to special exception approvals and use approvals.

Presently, the MPC is a recommending body regarding a Zoning Change. However, if the MPC denies an application for Zoning Change, it is **not forwarded** to the governing body **unless appealed**.

In the proposed UDC, regardless if the MPC recommendation is to approve or to deny, the case **will be forwarded to the City Council or Parish Commission** for a final decision. **Appeals of the MPC action will not be necessary nor will the public have to fill out the required paperwork to make an appeal to the governing body.**

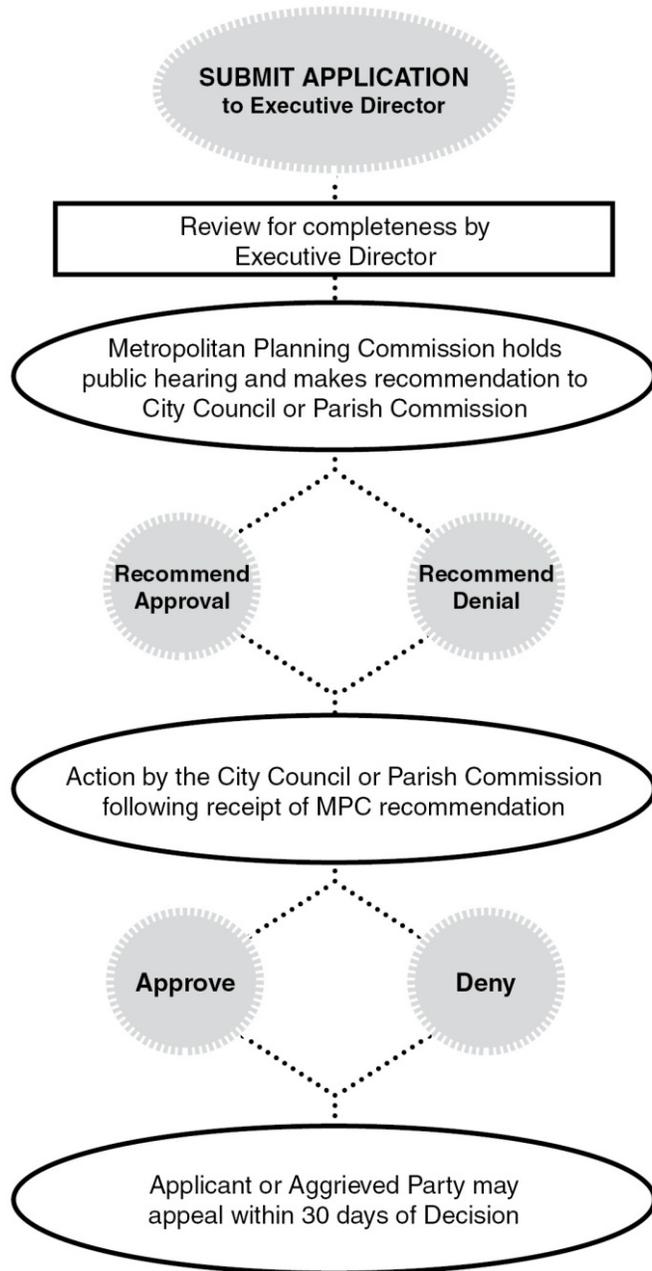
Under the existing ordinance and as proposed in the UDC, Subdivision Approvals are **final** and do not get forwarded to the governing body, **unless appealed**. The Parish Commission and the City Council solely act as an appellant body in regard to Subdivisions.

Presently, a **10 day appeal period** is in effect regarding subdivisions. In the proposed UDC, a **30 day appeal period** will be in effect.

Under the proposed UDC the ZBA's review authority will be restricted to variance applications and zoning appeals only. ZBA decisions currently are appealed to either the City Council or Parish Commission depending on the location of the property. **With the UDC the, ZBA's decisions can only be appealed to District Court, which is the predominantly accepted and utilized process for the majority of cities in the United States.**

The following flow charts summarize the application and appeals process that will be used under the UDC:

Zoning Change (Map Amendment) & Special Use Permit



Variance

