

MEETING DATE: **03.30.09**

AGENDA ITEM: **Town Hall – Discussion of Community Involvement in
the Development Process.**

ATTACHMENTS

	<u>Pages</u>
1. CCMC Chapter 17.320	1-7
2. Discretionary Project Review Process / Community Involvement Matrix	8-10
3. Methods for Alternative Outreach for Non-Discretionary Projects	11
4. Summary Table of Other Cities Requirements	12-14
5. Staff Report and City Council Policy 2007-002 (Public Notification)	15-21

ATTACHMENT 1

Chapter 17.630 - PUBLIC HEARINGS AND ADMINISTRATIVE REVIEW

Sections:

- 17.630.005 - Purpose
- 17.630.010 - Notice of Public Hearings and Administrative Review
- 17.630.015 - Notice of Decision - Director
- 17.630.020 - Notice of Decision - Commission
- 17.630.025 - Finality of Decision by Director or Commission
- 17.630.030 - Recommendation by Commission
- 17.630.035 - Notice of Decision - Council
- 17.630.040 - Mailing of the Notice of Decision

17.630.005 - Purpose

This Chapter provides procedures for public hearings before the Commission and Council and for administrative review by the Director. When a public hearing is required by this Title, public notice shall be given and the hearing shall be conducted as provided by this Chapter.

17.630.010 - Notice of Public Hearings and Administrative Review

Table 6-2 (Mandatory Public Hearings for Public Reviews Before the Commission or Council), below, identifies the noticing requirements for public hearings or public reviews before the Commission or Council.

ATTACHMENT 1

**Table 6-2
Mandatory Public Hearings or Public Reviews
Before the Commission or Council**

Type of Discretionary Review	Type of Notice Required		
	Mailed Notice	Published Notice	Posted Notice
A. Deadline	21 days before the date of the public hearing or review	14 days before the date of the public hearing or review	Within 30 days after application deemed complete
B. Type of Discretionary Review Applications:			
1. Comprehensive Plan	■	■	■
2. Conditional Use Permit (CUP) except No. 3, below	■		
3. CUP for sale of alcoholic beverages	■		■
4. General Plan Amendment:			
a. Land use map change	■		■
b. Text amendment		■	
5. Site Plan Review	■		■
6. Specific Plan	■		■
7. Subdivision (CCMC Ch. 15.10)	■		■
8. Variance	■		■
9. Zoning Code/Map Changes			
a. Map change	■	■	■
b. Text Amendment		■	

A. Mailed Notice. Written notices for public hearings identified in Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council) scheduled for the Commission or Council shall be given in the following manner:

1. Notices shall be mailed, postage prepaid to the following:
 - a. The applicant, occupants and owner(s), or their agent, of the property being considered;
 - b. The owners and occupants of all property within a radius of 300 feet of the exterior boundaries of the property or the perimeters of the premises of the proposed use involved in the application. This Subsection establishes the

ATTACHMENT 1

minimum mailed notice requirements and shall not preclude the provision of notice to a greater number of persons;

- c. Each local agency expected to provide water, schools, or other essential facilities or services to the project, whose ability to provide the facilities and services may be significantly affected; and
 - d. A person who has filed a written request for notice with the Director and has paid the fee established by the most current City Council Fee Resolution for the notice.
- 2. Notices shall be mailed at least 21 days before the date scheduled for the public hearing or review.
- 3. For the purposes of this notification, the last known name and address of each property owner as identified in the records of the Los Angeles County Assessor shall be used, unless a more current source of this information is known.
- 4. The address of occupants shall be determined by visual site inspection or other reasonably accurate means. The occupant notice requirement can be met by mailing the notice to the occupant(s).
- 5. At the time of filing the application, the applicant or designee shall provide a list of property owners and occupants within the prescribed area of notification and shall sign an affidavit verifying that the list has been prepared in compliance with the requirements of this Section.
- 6. The City shall prepare the notice, which shall clearly state the following information:
 - a. The date, place, and time of the scheduled hearing;
 - b. The name of the hearing body;
 - c. A general explanation of the matter to be considered;
 - d. A general description, in text or by diagram, of the location of the subject property;
 - e. The manner in which additional information may be received;
 - f. Any other pertinent information deemed appropriate by the Director; and
 - g. If a proposed Negative Declaration or final Environmental Impact Report has been prepared for the project in compliance with the City's use of the State promulgated CEQA Guidelines, the hearing notice shall include a statement that the hearing body will also consider approval of the proposed Negative Declaration or certification of the final Environmental Impact Report.
- 7. The Director has the discretion on a case-by-case basis to require the applicant to expand the mailing list beyond the minimum mailing area identified in Subsection 17.630.010. A.1.b., above, based on criteria including traffic impact, parking demand,

ATTACHMENT 1

building shade and shadow, noise corridor, cul-de-sac street, view impact, and other potential impact(s) and physical boundaries that could help delineate the impact area.

8. In the event a public hearing or review is opened but continued to a date certain by the Commission or Council, further notice is not required but may be given at the Director's discretion.
9. The failure of any person or addressee to receive a written mailed notice shall not invalidate the public hearing or review proceedings, provided that the Commission, or the Council, may continue the public hearing or review if deemed necessary, in compliance with Subsection 17.630.010.A.8., above.

B. Published Notice. Published notices of public hearings or reviews identified in Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council) before the Commission and the Council shall be given in the following manner:

1. **14-day notice.** A notice shall be published at least once in a local newspaper of general circulation in the City not less than 14 days before the date of the public hearing or review. The Director has the discretion to publish the notice in other newspapers; and
2. **Content of notice.** The content of the notice of a public hearing shall be provided in compliance with Subsection 17.630.010.A.6.a.-g., above.

C. Posted Notice. In addition to the mailed notice and published notice identified in Subsections 17.630.010.A. (Mailed Notice) and 17.630.010.B. (Published Notice), above, posted notices for a public hearing or review before the Commission or Council for the applications identified Table 6-2 (Mandatory Public Hearings or Public Reviews Before the Commission or Council) concerning specific real property, shall be provided at the applicant's expense in compliance with the following provisions:

1. The sign shall be posted within 30 days after the subject application is deemed complete by the Division. More than one sign may be required by the Director for a large project or a project site with more than one street frontage.
2. The sign shall be located in a conspicuous place on the property abutting a public street not less than one-foot nor more than 10 feet inside the property line. In the event the sign is not visible at this location, the sign may be attached to a structure, freestanding fence, or wall that has a minimal setback.
3. The sign shall be in compliance with the following requirements:
 - a. The size of the sign shall be twelve square feet in sign area, generally measuring 3 feet by 4 feet;
 - b. The sign shall not exceed eight feet in height from the ground level, however, if the property is surrounded by fences, walls, or hedges at or near the property lines, additional height shall be provided as necessary to ensure visibility of the sign from the public right-of-way;
 - c. The sign shall not be illuminated;

ATTACHMENT 1

- d. The sign shall include factual information about the title of the pending development, project case number, brief description of the request, name and telephone number of project proponent, location of property, and the Division telephone number. In addition, the date, location, and time of the scheduled public hearing or review shall be shown on the sign as soon as that information is confirmed by the City, but no later than 21 days before the scheduled public hearing or review;
 - e. The size, style, and color of the sign's lettering shall meet the specifications approved by the Director;
 - f. A Building Permit shall not be required for the posting of a sign, installed in compliance with this Section.
4. The sign shall remain in place until the expiration of the appeal period following a decision by the review authority. If the application requires the Council's final approval or if an appeal is filed, the sign shall remain in place with the new hearing date noted until the final decision by the Council. The sign shall be removed within 10 days of either the end of the appeal period or the final decision by the Council, whichever applies.
 5. The applicant shall submit to the Director an affidavit verifying that the sign was posted on the site in a timely manner in compliance with this Section.
 6. Failure to post the sign, to include required information, or to comply with applicable placement or graphic standards and requirements may result in a delay in the required public hearing or review.
- D. Notice of Administrative Use Permits, Administrative Site Plan Review and Administrative Modification Applications.**

Table 6-3 (Mailed Notification Requirements for Administrative Discretionary Review Applications) identifies the noticing requirements for administrative actions by the Director.

Table 6-3
Mailed Notification Requirements For Administrative
Discretionary Review Applications

Type of Administrative Review	See Chapter	Notice Requirement	
		Mailed Notice	Mailing Deadline
A. Administrative Use Permits.	17.530	All property owners and occupants within a 300-foot radius	15 days before the anticipated date of decision by Director
B. Administrative Modifications.	17.550	All adjacent property owners and occupants	15 days before the anticipated date of decision by Director

ATTACHMENT 1

Type of Administrative Review	See Chapter	Notice Requirement	
		Mailed Notice	Mailing Deadline
C. Administrative Site Plan Reviews.	17.540	All adjacent property owners and occupants	15 days before the anticipated date of decision by Director

1. In addition to all persons notified in compliance with Table 6-3 (Mailed Notification Requirements for Administrative Discretionary Review Applications) above, a notice of decision on the Administrative Site Plan Review, Administrative Modification and Administrative Use Permit applications shall be mailed to the applicant and other parties directly involved with the application, in compliance with Section 17.630.040 (Mailing of the Notice of Decision), below.
- E. Additional Notice.** In addition to the types of notice required by Subsections 17.630.010.A. (Mailed Notice) through Subsection 17.630.010.D. (Notice of Administrative Use Permits, Administrative Site Plan Review and Administrative Modification Applications), above, the Director may provide additional notice with content or using a distribution method as the Director determines is necessary or desirable (e.g., on the Internet).
- F. Effect of Notification Requirements.** Nothing in the public notification requirements identified in this Section is intended to supersede the procedures established in this Chapter for other discretionary reviews.

17.630.015 - Notice of Decision - Director

The Director may record the decision, refer the matter to the Commission for determination, or defer action and record the decision at a later date. The decision shall contain applicable findings, any conditions of approval, and the reporting/monitoring requirements deemed necessary to mitigate any impacts and protect the public health, safety, and general welfare of the City.

17.630.020 - Notice of Decision - Commission

The Commission may announce and record the decision at the conclusion of a scheduled hearing or defer action, take specified items under advisement, and announce and record the decision at a later date. The decision shall contain applicable findings, any conditions of approval, and the reporting/ monitoring requirements deemed necessary to mitigate any impacts and protect the public health, safety, and general welfare of the City.

17.630.025 - Finality of Decision by Director or Commission

The decision of the Director or Commission is final unless appealed in compliance Chapter 17.640 (Appeals).

17.630.030 - Recommendation by Commission

ATTACHMENT 1

At the conclusion of a public hearing on a Comprehensive Plan, Development Agreement, Specific Plan, rezoning, or a proposed amendment to the General Plan or Zoning Map/Code, the Commission shall forward a recommendation, including all required findings, to the Council for final action.

17.630.035 - Notice of Decision - Council

For an application requiring Council approval, the Council shall announce and record its decision at the conclusion of the public hearing. The decision shall contain the findings of the Council, any conditions of approval, and the reporting/monitoring requirements deemed necessary to mitigate impacts and protect the public health, safety, and general welfare of the City.

17.630.040 - Mailing of the Notice of Decision

Within 10 working days after the final decision or recommendation is rendered by the appropriate review authority, a notice of the decision, recommendation, any applicable conditions of approval, and any reporting/monitoring requirements shall be mailed to the applicant at the address shown on the application. A copy of the notice shall also be sent to the property owner, if different from the applicant and to all other persons who have filed a written request for notice.

DISCRETIONARY PROJECT REVIEW PROCESS/ COMMUNITY INVOLVEMENT ATTACHMENT 2

Review Process	Description	Purpose	Outcome
Initial Meeting (Preliminary stage)	Applicant meets with staff member(s) at the Planning Counter.	Applicant will identify the proposed project. Staff will determine conformance of the proposed use with zoning code and the general plan, and requirements for filing of an application, including community outreach requirements	Applicant will know if the proposed project is in conformance with the City's zoning and general plan. The Applicant will be provided with a checklist of materials required before a formal submittal can take place. Early community outreach plan.
Community input meeting (Required)	Applicant conducts outreach to neighbors/stakeholders of the proposed project by holding a meeting with stakeholders (300' to 1000' radius) and identified neighborhood group(s).	Applicant will receive feedback on the proposed project scheme as well as general concerns of the community that may influence project development (e.g., shortage of parking, lack of open space, crime, traffic, needed community amenities)	Applicant will utilize feedback provided by stakeholders to modify plan and/or move forward with development.
PPR submittal	Applicant meets with City staff from multiple departments to receive technical feedback on revised plans.	Applicant is provided with feedback on his/her revised plans by multiple departments, including Engineering, Fire, Police, Building & Safety and Planning. Potential problems with design or layout are identified.	Applicant is able to further revise the project plans in order to conform to additional comments and technical requirements identified by City staff.
Community input meeting (Required)	Applicant conducts second outreach meeting with neighbors/stakeholders of the proposed project. <i>(Staff facilitated)</i>	Applicant will be able to identify specific changes made to the original plans that incorporate the feedback provided during the first community meeting and by City staff. The Applicant should be able to answer why certain suggestions were incorporated and why others were rejected.	Applicant receives additional comments from community members that may be used to further revise the project plans. If the Applicant encounters strong opposition from community members, further outreach may be <u>necessary/required</u> . Applicant will use feedback to finalize project plans before submittal.

Formal Application Submittal	Applicant meets with staff member(s) at Planning Counter to submit the project application and required fees.	Filing of formal application process starts the formal review period. Planning staff will review the submittal application for completeness.	A determination of application completeness will be made within 30 days. Once complete the project will be scheduled for public hearing.
Project First Notice Letter sent	Planning Division mails notice to neighboring owners and occupants of the proposed project (300' to 500'), informing them of the application submittal.	Neighbors of the project, who may not be aware of the project, are advised that the application has been submitted, what the project is requesting, and how to find out more information.	Neighbors will be informed of the project and will be provided with contact information for the Planning staff member working on the project, in order to get additional information.
Applicant Community Meeting (Optional)	The Applicant with the assistance of planning staff will hold a community meeting to discuss issues.	If outstanding community issues are identified following the project first notice letter and/or if the project results in public controversy or interest from neighborhood the Applicant may wish to hold additional community meetings.	Applicant will have the opportunity to meet with the public to discuss the project, answer questions and clarify rumors or misinformation that may have arisen. The Applicant will also have another opportunity to refine the project prior to the public hearing.
Public Hearing Notice sent: Planning Commission	Planning Division mails the 21 day Notice of Public Hearing to neighboring owners and occupants of the proposed project (500') of the date, time and place of the Public Hearing for the proposed project.	The Notice of Public Hearing identifies the Applicant, the address of the project and the request. In addition, the Notice identifies the Case Manager's contact information in order to submit written comments prior to the Public Hearing. Recipients are also informed of where they will be able to review the application and environmental documents.	The Notice of Public Hearing provides the public with advanced notice of the hearing, or should they be unable to attend, provides them with an outlet with which to comment on the application. Written comments received will assist in the decision making process of the Planning Commission or City Council.

Public Hearing(s): Planning Commission	The Planning Commission holds a formal meeting to take testimony on the proposed project from the Applicant, Planning Staff and members of the public.	The Planning Commission will utilize information gathered at the Public Hearing and staff report in its review of the proposed project.	The Planning Commission will make a determination to approve or deny the proposed project based on the testimony received at the Public Hearing, and the project's compliance with the zoning code and General Plan.
Public Hearing Notice sent: City Council (if PC decision appealed)	Planning Division mails the Notice of Public Hearing to neighboring owners and occupants of the proposed project (500') of the date, time and place of the City Council Hearing for the proposed project.	The Notice of Public Hearing identifies the Applicant, the address of the project and the request. In addition, the Notice identifies the Case Manager's contact information in order to submit written comments prior to the Public Hearing. Recipients are also informed of where they will be able to review the application and environmental documents.	The Notice of Public Hearing provides the public with advanced notice of the hearing, or should they be unable to attend, provides them with an outlet with which to comment on the application. Written comments received will assist in the decision making process of the City Council.
Applicant /Appellant Meeting (Optional)	The Applicant and Appellant with the assistance of planning staff will hold a meeting to discuss issues.	If the project results in public controversy or interest from neighborhood the Applicant may wish to hold additional community meetings.	Applicant will have the opportunity to meet with the appellant to discuss the appeal issues and have opportunity to refine modify the project as applicable prior to the public hearing.
Public Hearing(s): City Council (Appeal)	If the Planning Commission's determination is appealed, the City Council will hear the appeal. The City Council holds a formal meeting to take testimony on the proposed project from the Applicant, Planning Staff and members of the public.	The City Council will utilize information gathered at the Public Hearing (and previous public hearings) in its review of the proposed project.	The City Council will make a determination to approve or deny the proposed project based on the testimony received at the Public Hearing, and the project's compliance with the zoning code and General Plan.

ATTACHMENT 3		Expected Outcomes																	
		Educational		Public Interaction		Estimated Public Values		Goals and Objectives		Preferences		Favored Design		Takes Less Time		Takes More Time		More Costly	
TYPES OF PARTICIPATION		Outreach Method		Simple Consensus		Strong Consensus		More Community Involvement		Defined Staff Roles		Defined Public Roles		Joint Decision Making		Citizens Advise, Officials Decide			
INFORMING		Standard Public Notice																	
		Kiosks/Public Displays																	
		Pamphlets																	
		Posters																	
		Newsletter																	
		Informational Website																	
		Email Listserv																	
		Press Release																	
		Blog																	
		Student Programs																	
		Speakers Bureau																	
DIALOGUE/FEEDBACK		Opinion Survey																	
		Walk Abouts																	
		Kaffe Klatch																	
		Phone Calls																	
		Stakeholder Interviews																	
		Informal Stakeholder Meetings																	
INTERACTIVE		Visioning																	
		Workshops																	
		Charrettes																	
FORMAL PARTNERSHIP		Technical Advisory Committee																	
		Community Advisory Committee																	
DECENTRALIZED DECISION MAKING		Neighborhood Organizations																	
		Joint Policy Board																	
FORMAL DECISION MAKING		Public Hearings																	

	Pre Notice	Early Notice	Application Requirements/	Other Required Community Meetings	Thresholds for Community Outreach	Extent of notice (Radius)	Official Notice	Standard Meetings	Other Advisory Meetings
CITY	<i>Is there a requirement for pre-notification of neighbors/ the community prior to submittal</i>	<i>Is the public notified of the application filing? When? How?</i>	<i>Requirements for filing? Labels, envelopes, radius map? Anything else related to public notification?</i>	<i>Is there a requirement for meeting with community/neighbors prior to public hearings?</i>	<i>Is there a threshold (project size, application type) which would trigger a requirement for meeting with the community?</i>	<i>What are the general notification radius requirements?</i>	<i>What is notification lead time prior to public hearing?</i>	<i>What notification is done for regularly held meetings (i.e. CPC)?</i>	<i>What notification is done for other hearings (i.e. Design Review, Neighborhood Council, etc.)?</i>
Culver City	Upon first contact with applicant, staff identifies neighborhood groups in vicinity of project and encourages applicants to meet with them	Project first notice letter sent out within one week following formal application to all owners/occupant within 500 ft. radius of the site	- Radius map - Mailing labels - Certified list of property owners and tenant within required radius	Staff encourages applicant to meet with identified neighborhood groups. City will facilitate meeting if requested	None Staff encourages applicants to meet with the community on all projects	500 foot radius extend to the end of City block At Planning Managers discretion the radius is sometimes extended to potential affected properties beyond the standard radius	Mailed notice 21 days prior to public hearing to all on 500 ft. radius mailing list, interested parties, and always list. Site posted 21 days prior to hearing Notice published 14 days prior to hearing	Agendas are published on the City web site and posted at City Hall	ACOR as needed
Beverly Hills	None	None	- Radius Map - Mailing Labels - Affidavit and photo evidence that subject property was posted with notice of request. - Fee charged for publication of notice in the newspaper.	The City will facilitate community meetings between the applicant and the public for “large projects” they feel will be controversial.	No requirement However, applicants are encouraged to meet with the community for large projects.	500 feet (for planning commission meetings): Notification sent to each owner of a single family residentially zoned property. 300 feet (for planning commission meetings): To each owner and residential tenant of all other zoned properties. 100 feet (projects not requiring commission review): Property owners and residential occupants	Public notice is mailed 10 days before the scheduled public hearing. For some cases, a <u>notice of decision</u> is mailed 10 days prior to any decision rendered . Subject property is posted 10 days prior to hearing. Notice of hearing is also published in the local newspaper 10 days prior to public hearing.	Notice of hearing published in newspaper. Agendas published on City web site.	Appeal Hearing: Notice to applicant and appellant Design Review in R-1 Zone: Notice of hearing is mailed 10 days prior to hearing to 100-foot radius.

	Pre Notice	Early Notice	Application Requirements/ Extra Submittal Materials	Other Required Community Meetings	Thresholds for Community Outreach	Extent of notice (Radius)	Official Notice	Standard Meetings (CPC)	Other Advisory Meetings
Burbank	None	- Lists of new/existing applications are posted online (alphabetically, by type, by zone, in an interactive map). - Established neighborhood groups occasionally receive project plans for review by email, sent by City Staff.	- Radius Map - Mailing Labels	The Applicant is required to have an informal community meeting, prior to the official public hearing, when filing for a Development Review. The meeting is facilitated by City staff. Residents within 1,000 foot radius are notified of the meeting	Required for Development Review projects (requiring a change of use & increased parking requirements); is also recommended for controversial projects.	Notification of owners and occupants by mail. 1,000 feet: Development review, CUP, Variance, AUP, Tract Maps 300 feet: Accessory structure permit, Second Dwelling Unit, Special Dev. Permit 150 feet: Minor fence exception, Home Occupation 8 Blocks: Downtown restaurant administrative use permit	Public notice is mailed 10 days before the scheduled public hearing. The subject property is posted on each street frontage 10 days prior to hearing.	Notice of the hearing is published in the local newspaper. Agendas are published on the City web site.	Appeal Hearing: Notice to applicant, appellant and property owners and occupants within 300 feet 10 days prior to hearing; publication in newspaper
Santa Monica	Applicants are encouraged, but not required, to contact and describe the application to adjacent property owners and applicable neighborhood groups. For CUP and Development Review Permits, sites must be posted prior to submittal of the application.<u>Eight (8) weeks prior to hearing</u>, the posting must be updated to include the case number and hearing date.	List of new applications is posted online.	- Radius map - Mailing labels - Certified list of property owners and tenant units within required radius	The City has facilitated community meetings between the Applicant and the public for “big projects”. This has become increasingly more common over the past two years	When implementing “big projects”, the City has facilitated community meetings	Notification of owners and occupants by mail. 500 feet: CUPs, Development Review Permits, General Plan Amendment, site specific Zoning Ordinances. 300 feet: Variances, Yard Modifications, Tentative Map	Public notice is mailed 10 days before the scheduled public hearing. Notice of hearing is also published in the local newspaper and on the City web site. Hearing notice is posted on the subject property 8 weeks prior to the hearing.	Subject property is posted, with Case Number and Hearing Date listed <u>8 weeks prior to hearing</u> , and through 14-day appeal period. If Appealed, the notice must remain with updated information on Appeal Hearing.	Architectural Review Board: The site must be posted within 10 days of filing an application for projects of over 15,000 sf of floor area. Landmarks Commission: Site must be posted prior to filing of application. Updated with hearing info <u>10 days prior to hearing</u>. Mailing required to 300 foot radius or to the historic district.
					ATTACHMENT 4				

	Pre Notice	Early Notice	Application Requirements/ Extra Submittal Materials	Other Required Community Meetings	Thresholds for Community Outreach	Extent of notice (Radius)	Official Notice	Standard Meetings (CPC)	Other Advisory Meetings
West Hollywood	None	None	- Fee charged for City to prepare radius map and mailing labels - Applicants pay for postage and provide envelopes.	For Development Permit Projects that will Planning Commission: Within 60 days of filing application the developer must host a meeting with community. Notification is mailed to a owners/occupants within a 500 foot radius. Post Approval requirement to meet with community to resolve issues.	Community meeting required for projects requiring a Development Permit that will go on to the Planning Commission (usually a threshold requiring a project of 10,000 sf or greater)	Notification is sent by mail to each owner of a single family residentially zoned property within 500-feet of the subject property.	Public notice is mailed 10 days before the hearing. Notice of hearing is also published in the local newspaper and City web site. Hearing notice is posted on the subject property one month before the hearing.	Notice of hearing is published in the newspaper.	Design Review Committee: No notice sent out. Agenda is posted on the City web site 72 hours prior to hearing.
Los Angeles	None	- List of new Applications are posted online, bi-monthly. - Neighborhood Councils are informed of new planning applications for all projects in their area by email, sent out every two weeks.	- Radius Map - Mailing Labels - For cases involving a public hearing, Applicants are required to post a public hearing notice on the subject property.	It is at the Planner's discretion to require the Applicant to meet with the Neighborhood Council (or a community group) prior to the issuance of the determination letter.	No requirement. However, applicants are encouraged to meet with the community for large projects.	Abutting owners only: Plan Approvals, Zoning Admin. Adjustments, Modifications 500 feet, for owners and occupants: CUPs, Variances, Zone Change	Public Notice is mailed 15-24 days before the scheduled public hearing. The notice is also mailed to the Neighborhood Council. The subject property is also posted.	Agendas are published on the City web site. Members of the public who attended the public hearing or who requested to be kept informed of the case are notified of additional hearings.	Neighborhood Councils publish their agendas on individual web sites.

City of Culver City, California
City Council Agenda Item Report

ATTACHMENT 5

Meeting Date: 12/03/07

Item Number: A-7

AGENDA ITEM: Discussion and Adoption of a Resolution Establishing a City Council Policy on Public Notification.

Contact Person/Dept.: Martin R. Cole, Phone Number: (310) 253-6000
 Assistant City Manager

Fiscal Impact: Yes ☒ No ☐ General Fund: Yes ☒ No ☐

Public Hearing: ☐ Action Item: ☒ Attachments: ☒

Public Notification:
 Master Notification List (11/28/2007).

Department Approval:
 Martin R. Cole (11/26/2007)

City Attorney Approval:
 Carol Schwab (by H. Iker) (11/28/07)

Fiscal Impact Review:
 Marlee Chang (11/28/07)

City Manager Approval:
 Jerry B. Fulwood (11/28/07)

RECOMMENDATION:

Staff recommends the City Council discuss a proposed City Council Policy on public notification and adopt a resolution establishing the proposed Policy.

BACKGROUND:

The City Council discussed this topic on July 10, 2006. At that time and after very brief discussion, the City Council directed staff to return at a later date with a proposed updated policy related to Public Notification. Therefore, this item is presented to the City Council this evening for consideration.

DISCUSSION:

Culver City has had a tradition of encouraging public participation in the governmental process. As part of that tradition, the City has provided public notification in excess of the levels required by law. In the following sections, the various levels of public notification will be discussed.

Legally Required Notice

Under applicable federal and state law and as provided for in the City Charter and Culver City Municipal Code, the City provides notification to a subset of the Culver City community of certain actions being considered by the City Council, the City's Commissions (especially the Planning Commission), and certain administrative actions taken by City Staff.

Section 610 of the City Charter states the following:

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

Consideration of this item and the associated Policy meets the requirements of this Section of the Charter.

Notification Process under Current Practice

In addition to legally required notice, current City practice provides for an "enhanced" public notification process. This involves the preparation and mailing of post cards, publishing of courtesy notices in the local newspapers, and researching past minutes to find persons and organizations interested in various topics. Also, in instances where the minimum legal requirement is to provide notice to property owners, the City also provides notice to residents as well.

The current process can be staff time intensive (because of the need for manual research). Further, while staff strives to include every interested person in a notification effort, a manual system may result in some interested persons being inadvertently missed.

Points for Consideration

In distributing items for public notification purposes, the City should attempt to balance the cost of notification with the efficacy of the notification effort. Additionally, the City should also consider the subjects of resource conservation and sustainability.

In an attempt to reach the broadest number of persons, the City currently sends postcards to property owners as well as residents. The Information Technology Department has attempted to electronically "sift" the lists so that if the property owner is the resident, then only one notification postcard is generated. However, sometimes the information utilized for this process may be several months old and duplication may occur. From time to time, the City Council has heard from residents who receive multiple notifications for the same item.

Even with this process, a Citywide mailing costs approximately \$0.50 per post card. With approximately 22,000 postal addresses in the City, a City-wide mailing costs a

minimum of \$11,000. With respect to newspaper notification, a quarter-page legal advertisement costs approximately \$150 per insertion.

As directed by the City Council, staff has prepared the attached draft policy for the City Council's consideration. In drafting the proposed policy, staff is recommending the following:

- Continued compliance with the minimum notification requirements established in applicable law;
- Continued use of the "extended radius to end of block" methodology currently in use;
- Reduction of the use of postcard notifications in favor of E-mail notification.
- Utilize the GIS System as the basis of creating the address lists for mail notifications with radii being extended to the end of blocks.
- Increased use of E-Mail notifications
- Increased use of a revised Speaker's Card to allow persons to sign-up for the City's e-mail notification list
- Routine placement of public notices on the City's Website
- Provide for the establishment of a mail notification list and allow persons to self-select areas of interest
- Department Heads may provide for extended notification based upon specific circumstances

Generally, the City is continually moving toward more efficient processes. For example, the City Council has approved online application and payment for recreation class registrations and certain permits. And, on November 14, 2007, the City Council authorized the purchase of software to allow Business License Certificates to be renewed online. Staff recommends the City Council adopt a Public Notification Policy that also takes advantage of the efficiencies of electronic processing. This process has significant benefits by decreasing use of resources and reducing the number of missed notification requests.

Publicizing the New Notification Process

To help the Community become more aware of the public notification processes available, staff will advertise the availability of the e-mail and postal notification lists on various existing City "publications" including on the City's website, city documents, with internal flyers and through other similar methods.

PROCESSES USED BY WESTSIDE COG CITIES

In preparing this report, staff contacted the cities of Beverly Hills, Santa Monica, and West Hollywood. The following table includes the results of this brief survey:

City	Process Used
Beverly Hills	In addition to legal minimums, the City posts its notices on their website. Items of a non-routine nature may be noticed through announcement at a City Council meeting.
Santa Monica	Provides the legally required notice.
West Hollywood	In addition to legal minimums, the City posts notices on City bulletin boards at City Hall and all City Parks. Notices are also posted at the Sheriff's Station and on their Cable TV Channel.

FISCAL ANALYSIS:

It is anticipated that the new policy will result in the reduction in the use of mail and the increase in the use of E-Mail. In addition to the cost reductions for supplies and mailing, the staff time currently utilized in the preparation and mailing of post cards would be available for other City's priorities. The exact of potential cost reduction is difficult to project at this time; however, it is estimated to be in the tens of thousands of dollars annually. Overall, it will have a positive fiscal impact to the City's and it will also fulfill the commitment to the City's Sustainable Community Plan.

ATTACHMENTS:

1. Proposed Resolution (including Council Policy)
2. Proposed Revised Speaker's Card.

MOTION:

That the City Council:

1. Discuss the topic of Public Notification; and
2. Adopt the resolution establishing the Public Notification Policy.

City Council Adopted Policy 2007-02 ATTACHMENT 5
Subject Matter: Public Notification

PURPOSE

The purpose of this policy is to provide general guidelines for staff to use when preparing public notifications of various actions to be considered by the City Council, the City's Commissions/Boards/Committees, and staff, where applicable.

This Policy shall be consistent with the City Charter and other applicable laws.

CITY CHARTER PROVISIONS

Section 610 of the City Charter states:

The City Council shall comply with the applicable provisions of State law regarding the giving of notice for regular and special meetings. The City Council shall consider whether it should establish additional procedures to provide efficient, timely and cost-effective notice in a manner consistent with currently available technology.

This Policy is established in accordance with this City Charter provision.

LEGALLY REQUIRED NOTICE

By adopting this Policy, the City Council restates the minimum requirements embodied in Federal, State, and Local laws. In accordance with those applicable laws, staff shall, at a minimum, provide notice as legally required. In complying with legally required notice, the notification list shall be expanded to include property owners and residents/occupants until the end of the block.

USE OF CITYWIDE NOTIFICATION

From time to time, City-wide notification may be appropriate or desirable. Whenever possible and appropriate, City-wide notification shall be coordinated with the quarterly publication of Culver City Living. Additionally, public notices shall be routinely placed on the City's website. To conserve server storage space, public notices shall be removed from the website after the meeting or event notices has occurred.

Due to the cost involved, an individual, full City-wide notification shall only be conducted with the approval of the City Manager or at the direction of the City Council.

The City Council Speaker Card shall provide information to interested parties on how to sign-up for either the E-Mail or Postal Mail Interest Lists. A sample of the City Council Speaker Card is attached. The City Council Speaker Card may be amended from time to time to further the goals of this Policy.

ESTABLISHMENT OF CENTRAL E-MAIL AND POSTAL MAIL INTEREST LISTS

Culver City has had a tradition of encouraging public participation in the governmental process. As part of that tradition, the City has provided public notification in excess of the levels required by law. The City has also adopted a number of policies and procedures which make Culver City a leader in sustainability and environmental awareness.

To provide for additional efficiencies, staff shall establish the following two categories of interest lists: (1) An E-mail Interest List, and (2) a Postal Mail Interest List.

E-Mail Interest List

E-Mail provides an efficient, timely, cost-effective, and environmentally sensitive method of providing public notification. Through the use of e-mail, the City can notify a large number of persons simultaneously and almost instantly. Duplicate e-mails can be easily deleted, minimizing wasted resources.

Whenever practicable, the City shall encourage interested parties to sign-up for e-mail notification through a self-service and self-selecting process.

Postal Mail Interest Lists

To accommodate those persons who may not have easy access to a computer and/or the Internet, the City shall establish and maintain a postal mail interest list. Various categories of interest may be created in order to accommodate various topics. Such topics shall be established by staff based upon the number of individuals requesting notification on a topic.

Signing Up for the E-Mail and Postal Mail Interest Lists

To encourage and facilitate the use of both Interest Lists, Staff shall provide a number of ways in which interested persons can sign-up for both. These methods may include (but not be limited to):

- Electronic sign-up via the City's website
- Manual sign-up via the City Council Speaker Card
- Manual sign-up via written or telephonic request

It is the responsibility of residents to keep their address current with the city by notifying the city if they move or change their e-mail address.

ADDITIONAL NOTICE

The City Manager and the City's Department Heads may determine that notice above the minimum requirements of this Policy is in the public interest. In that case, additional notice may be provided with the approval of the Department Head and/or the City Manager.