

MEETING DATE: 01/26/09

AGENDA ITEM: Discussion of Community Involvement in the
Development Process

ATTACHMENTS

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City Council Agenda Item Report

Meeting Date: 09/22/2008		Item Number: A-3	
AGENDA ITEM: Discussion of Community Input on Discretionary Development Projects			
Contact Person/Dept.: Thomas Gorham, Planning Manager		Phone Number: (310) 253-5727	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Public Notification: Master E-Mail Notification List (09/17/08)			
Department Approval: Sol Blumenfeld (09/11/08)		City Attorney Approval: Carol Schwab (by H. Baker)(09/16/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/17/08)		City Manager Approval: Jerry B. Fulwood (09/17/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council receive and file the report on community input on discretionary development projects and direct staff as deemed appropriate. <u>BACKGROUND:</u> At its August 13, 2008 Council meeting the Council requested information about the process for obtaining community input on discretionary development projects. Typical development projects which are reviewed by the Planning Commission and the City Council include site plan reviews, conditional use permits, tentative tract maps (subdivisions), variances, and general plan and zoning code amendments also referred to as "entitlements". The Planning Commission and the City Council have discretionary authority to approve or deny these entitlements based on required findings. The typical path for a discretionary project starts with the applicant meeting with Planning Division staff to discuss their proposed project at a preliminary stage. At this time staff goes over the development standards the project will be subject to as well as the entitlements (i.e. site plan review, conditional use permit, tentative tract map, etc.) the project will need, and the review process through which the project must proceed. At this preliminary stage staff encourages the applicant to meet with the community or neighborhood adjacent to the project to obtain early input on the proposed project prior to submitting an application. Staff provides the applicant with the name and contact information for any Homeowners Association (HOA) or other citizen group and any businesses in the vicinity of the proposed project.			

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The first step in the application process is Preliminary Project Review (PPR). At this stage preliminary plans (typically a site plan and elevations) are submitted by the applicant. The plans are routed to the various City departments for internal review and comment. Approximately two weeks following PPR submittal, the applicant meets with the City's Project Review Committee (PRC) which is made up of representatives of the various City departments (Public Works/Engineering, Building Safety, Fire, Transportation, Police, City Attorney, and Redevelopment) that review the plans and provide comments and direction to the applicant. This is a staff only meeting where the various departments go over their comments on the proposed project with the applicant. The PPR process is intended to help streamline the application process by providing the applicant with early input on entitlement and code requirements, design recommendations, environmental issues, neighborhood issues, noticing requirements, fees, and identification of any necessary technical studies to which the project may be subject. The applicant can then decide if they want to continue in the application process and, if so, proceed to prepare refined plans and any necessary technical studies (i.e. traffic study, noise study, geotechnical study, etc) that may be required for the project prior to formal application submittal.

Following the PPR stage, an applicant then submits a formal application which includes a formal written project description, detailed project plans addressing any issues identified at the PPR stage, any necessary technical studies and reports, and payment of all applicable fees. Submittal of the formal application can take up to six months following the initial PPR review. Once a formal application is submitted, a Project First Notice Letter is sent to all properties owners and occupants within a 500 foot radius (extended to the end of the block if mid block) of the subject site and to all HOA's within the vicinity of the project. The First Notice Letter describes the proposed project, provides the applicant information, and contains information on the availability of the plans for review. The letter also notes that once a hearing date for the proposed project is determined, an official public hearing notice will be mailed out at least 21 days in advance of the hearing. At the formal application stage, staff again encourages the applicant to meet with the community for comment and input on the proposed project prior to the public hearing.

Following submittal of the formal application, the project plans are routed again to the various City departments and a second PRC meeting is held where staff provides the applicant with final comments and recommended conditions for the project. Following the PRC meeting, the planning staff makes a determination on whether or not the application can be deemed complete. If deemed complete, the project is then scheduled for a public hearing which typically occurs within 60 days. If staff cannot deem the application complete, the applicant is informed of what additional information is required before the application can be deemed complete and scheduled for public hearing.

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Once a public hearing date is established, a formal public hearing notice is mailed to all owners and occupants of property within a 500 foot radius (extended to the end of the block if mid block), all HOA's within the vicinity of the project, any interested party, and the master e-mail notification list at least 21 days prior to the public hearing. In addition, a sign is posted along each project street frontage with information about the project and the date of the public hearing.

DISCUSSION:

As outlined above, the public input and participation occurs at various stages of the application process. First, the applicant is encouraged to meet with the community prior to fully developing project plans and formal application submittal to identify and address any neighborhood concerns early on. Second, once a formal application has been submitted, a project First Notice Letter is sent out and the applicant is again encouraged by staff to meet with the community. Finally, once a public hearing date has been set, an official public hearing notice is mailed and the project site is posted with a sign at least 21 days in advance of the hearing date inviting the public to participate in the hearing process.

The City Council has made it clear that public participation in the development process is important to the Council and to the community. In recognition of the importance of community involvement throughout the application process, staff recently commenced with requirements for applicants to submit a plan for community involvement outlining proposed outreach, meetings, and any other methods they intend to use or have used to adequately present the project to the community and to solicit community input outside of the public hearing process. This Public Participation Plan must be submitted as part of their formal application submittal. The applicant is also required to submit a summary of the results of any community meetings and outreach and how the applicant addressed the public concerns and what if any changes to the project were a result of community input.

The following summarizes the development application process and opportunities for community input:

1. Initial meeting with Planning Division staff to discuss proposed project at a preliminary stage
2. Applicant solicits community input
3. Preliminary Project Review (PPR) submittal
4. Applicant meets with community
5. Formal Application submittal
6. Project First Notice Letter sent
7. Applicant meets with community

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8. Public Hearing Notice sent
9. Public Hearing
10. Project Decision

Based upon the City Council's direction, staff has prepared this report to both provide the City Council with information on the City's current process and allow the City Council an opportunity to provide comment and direction on this subject. The City Council may determine that the current process meets the City Council's goals or the Council may determine to provide additional measures related to public participation in the development process.

FISCAL IMPACT:

Discussion of this topic does not create a fiscal impact. However, based upon any modifications the City Council may deem necessary, additional notification efforts would have an associated cost.

ATTACHMENTS:

None

MOTION:

That the City Council:

Receive and file this report and direct staff as deemed appropriate.

	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
Urbank	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.

	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 <u>within 500-feet</u> 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.	<u>Abutting owners only:</u> Plan Approvals, Zoning Admin. Adjustments, Modifications <u>500 feet, for owners and occupants:</u> 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.