



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
November 18, 2010

To: Members of the Planning Commission

Subject: Update on Public Notice Procedures (LR10-008)

Location/Council District: Citywide

Recommendation: Staff requests the Commission review and comment on the proposed improvements to the public notice procedures.

Contact: Thomas Pace, Principal Planner, Community Development Department (916) 808-6848

Summary: Staff is preparing recommendations for improvements to the public noticing procedures. This report is an update on the status of this effort.

Background Information: On August 26, 2010, the Commission held its semi-annual policies and procedures discussion. At that time, the Commission requested a report back on improvements to the public notice procedures used by the Planning Division. At that meeting, the Commission expressed the following ideas for improving public notice:

1. Find out what other jurisdictions do.
2. Consider notification to tenants as well as land owners.
3. Improve signage used for posting notices on-site, including larger notice signs, more signs for very large sites (like the Railyards, for example), posting a sign at the time application is submitted, scaling the size of signs to the size of the site/project.
4. Ensure notice language is in "plain English" to eliminate jargon from notices (example was of reference to "wayfinding" which simply means signs).
5. Consider increased radius for mailing of notices.
6. Engage DOC in this discussion to ensure developer's perspective and to help DOC reach out to the community.
7. Include a list of who was noticed as an attachment to each staff report.
8. Create an e-mail notice subscription service and/or website with notices on-line.
9. Involve Neighborhood Services in getting the word out about projects and hearings.
10. Ensure consistency across all planning processes (Staff-level, Zoning Administrator, CPC, other commissions, etc.).

On October 13, 2010, a committee comprised of Planning Commission Chair Mike Notestine, Development Oversight Commission Chair Darryl Chinn, Community Development Director Max Fernandez, Planning Director David Kwong, Principal Planner Joy Patterson and Principal Planner Tom Pace met to discuss the Commission's ideas and staff's research. Staff had conducted some preliminary research and recommended reviewing Seattle's public notice signs and website as a good example. The committee agreed that staff should proceed with developing the following procedures.

- First, staff will investigate requiring larger public notice signs. See attachment 2 on page 5.
- Second, staff will investigate making more information available on the department's website and via electronic mail. See attachment 1 on page 4.
- Third, staff will update procedures for phrasing public notices in plain English.
- Fourth, staff will prepare a procedure for attaching the public notice list to staff reports, so that there will be no doubt as to who was sent notices.

The committee felt that these initiatives would address many of the suggestions made by the Commission. For example, placing a more readable public notice sign on a project site earlier in the project review process will ensure that occupants and tenants and the surrounding community will be better informed about pending development proposals. Other changes, such as considering a different mailing radius, would require a code amendment, and it was agreed that the improvements listed above should be tried first to see if they adequately improve public notice.

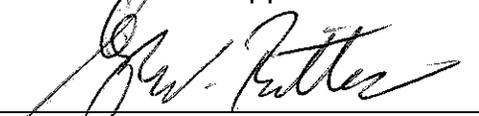
Public/Neighborhood Outreach and Comments: The committee agreed that a plan of public outreach to the four major Neighborhood Services Area Leadership Groups and to the business and professional community is needed to explain how the Commission and staff are working to improve public participation in the planning process. It was suggested that the Chair and/or Vice-Chair attend these meetings with staff.

Environmental Considerations: This update does not constitute a project, and is therefore not subject to environmental review under the California Environmental Quality Act.

Policy Considerations: Improving public participation in the planning process is consistent with Administration Implementation Program 9 on Table 4-1 of the Sacramento 2030 General Plan.

Respectfully submitted by: 
THOMAS S. PACE
Principal Planner

Recommendation Approved:


DAVID KWONG
Planning Director

Attachments:

- | | | |
|--------------|-------------------------------------|---------|
| Attachment 1 | Seattle's Public Notices Website | Page 4 |
| Attachment 2 | Seattle's sign posting requirements | Page 5 |
| Attachment 3 | Folsom's sign posting requirements | Page 12 |



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Department of Planning and Development

Shaping and protecting Seattle's built and natural environment
Diane Sugimura, Director

Planning
Permits
Compliance
Online Tools
Resource Center



Overview

- Land Use Information Bulletin
- Land Use Signs & Notices
- Public Comment
- Code Interpretations
- Appealing Decisions
- Key Contacts

DPD Public Notices

Overview

The City of Seattle's Land Use Code has specific requirements for notifying the public of opportunities to comment on proposed land use activities. The type and extent of this notice generally depends on the type of project in question. Our primary notice methods include land use signs we post on properties within Seattle and our twice-weekly Land Use Information Bulletin.

Land Use Information Bulletin

Our twice-weekly notice, called the Land Use Information Bulletin, is posted on our website and mailed to over 200 neighborhood organizations and individuals citywide.

- [View current and past bulletins](#)
- [Search bulletins](#)
- [Subscribe to the bulletin](#)
- [About the Land Use Information Bulletin](#)

Land Use Signs

White and yellow [land use signs](#) are posted when a project requires a specific type of review by DPD, particularly for environmental concerns, design review, variances, conditional uses, short subdivision projects, and most shoreline projects.

Other Notices

In certain cases we also mail a notice to property owners and tenants located near sites where development activity is proposed.

Commenting on Land Use Activity

When you see a DPD land use sign posted on a property or read our Land Use Information Bulletin, consider it an invitation to become involved in the development of the community, as you are welcome to comment on the development proposals. Browse this website to learn:

- [How to make effective public comments](#)
- [How to appeal a land use decision](#)
- [How to request a code interpretation](#)

Questions?

If you have a question about DPD public notices, land use signs, and the public comment process, see [key contacts](#).

Comment & Appeals

- [How to comment on proposed applications](#)
- [Tips for making effective comments](#)
- [Appeal a decision](#)
- [Request a code interpretation](#)

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Related Resources

- [Seattle Land Use Code](#)
- [What DPD Land Use Signs & Notices Mean](#)
- [Environmental Sign Installation Notification](#)
- [Public Resource Center](#)
- [Key Contacts](#)

LUIB Archives

DPD	Director's Rule 29-2006
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Applicant: City of Seattle Department of Planning and Development	Page 1 of 7	Supersedes: 14-97, Draft 12-2000
	Publication: 9/29/06	Effective: 12/1/06
Subject: Environmental Review Sign	Code and Section Reference: SMC 23.76.012, 23.76.042, and 23.84.036	
	Type of Rule: Code Interpretation	
	Ordinance Authority: SMC 3.06.040	
Index: Land Use Code	Approved _____ Diane M. Sugimura, Director, DPD	Date _____

Background

Title 23, *Land Use Code*, of the Seattle Municipal Code includes provisions for public notice of project applications in Sections 23.76.012 and 23.76.042 of the Master Use Permit Chapter, including detailed information about the "types of notice required" and "contents of notice." For applications subject to environmental review, an applicant must post an environmental review sign. The purpose of these signs is to provide notice to the general public about key elements of the application under consideration, and invite public comment about the project.

This rule sets forth standards and procedures to assure that the environmental review sign provides an effective form of public notice.

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Rule

An application that requires an environmental review sign is not considered complete until the sign is installed. The required environmental review sign shall be installed by the applicant at the direction of the Department of Planning and Development.

When DPD is informed by the applicant that the environmental review sign is installed, public notice will be given by DPD staff.

After sixty days from the application date, an application requiring posting of an environmental review sign may be canceled if DPD has not received the required notification that the sign has been installed.

Sign Size and Text Specifications

The environmental review sign shall be four (4) feet by eight (8) feet in size and constructed to the specifications described in Attachment A and below. The sign shall display the information shown in Attachment A.

- Lettering Style:** Helvetica or similar standard typeface.
- Lettering Style:** 3-inch capital letters for the title
(NOTICE OF PROPOSED LAND USE ACTION)

2-inch capital letters for the proposal description.
Department staff may authorize variation in lettering size to accommodate text.

All other letters shall be 1.5-inch upper and lower case.
- Lettering and Plot Plan Color:** Black (Permanent Ink or Overlay)
- Background Color:** White
- Plot Plan:** 3 feet by 3 feet

- Professionally prepared plastic sign overlays permanently affixed to the board are permitted.
- Sign boards may be reused but they must be clean and show no evidence of former working or drawings.
- The specific text to be put on the sign shall be determined by DPD staff and will be reviewed by the applicant during the application intake appointment.
- The date lines after "End of comment period:" and "Comment period may be extended by written request until:" shall be left blank. DPD staff will post the comment period information when performing their field inspection of the sign.

Specifications for Plot Plan Illustrating Project or Proposal Location**Applications with Proposed Structures**

For applications with proposed structures, a plot plan of the property and project shall be included on the sign in the space indicated on Attachment A. The copy of the plot plan proposed to be printed on the environmental sign must be submitted at the application intake appointment. The plot plan shall be outlined in bold line so that its location is clearly identified in relation to the property lines. The plot plan shall provide the following information:

- Names of all adjacent streets and bodies of water;
- Location of any alleys;
- Footprint of the total building (with new construction cross-hatched). The footprint shall be outlined in a bold line so that its location is clearly identified in relation to the property lines;
- Vehicular access, circulation, and surface parking;
- North arrow;
- Drawing scaled to fill the space available and oriented to viewer's perspective; and
- Property lines.

Applications without Proposed Structures (e.g., rezones, subdivisions)

For applications without proposed structures, a site location map shall be included on the sign in the space indicated on Attachment A. The copy of the site location map proposed to be printed on the environmental sign must be submitted at the application intake appointment. The site location map shall provide the following information:

- Names of all adjacent streets and bodies of water;
- Location of any alleys;
- The site area outlined in bold line or cross-hatched to clearly identify the boundaries of the proposal;
- North arrow;
- Drawing scaled to fill the space provided;
- Property lines; and
- Location of existing structures.

Standards for Locating and Installing the Environmental Review Sign

Environmental review signs shall be installed by the applicant according to the specifications shown in Attachment B. These signs shall be located:

- At the midpoint on the street frontage from which the site is addressed or as otherwise directed by DPD staff;
- On the property, ten (10) feet back from the property line; signs structurally attached to an existing building shall be exempt from the setback requirement, provided that no sign is located further than ten (10) feet from the property line without approval from DPD staff;

DPD Director's Rule 29-2006
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- So that the top of the sign is between seven (7) to nine (9) feet above grade;
- So that it can be easily read from the adjacent street and/or sidewalk; and
- So that it is easily accessible for posting of comment period dates by DPD staff.

Installation Notification

To notify DPD that the environmental review sign has been installed, the applicant shall complete the Environmental Review Sign Installation Notification (Attachment C) and return it to DPD. The notification can be sent via mail or fax (206-233-7901) or delivered in person. Notification also may be submitted electronically through the online form at www.seattle.gov/dpd/ERsign.

When the notification has been received by DPD, notice of application will be published in the Land Use Information Bulletin.

The date of publication begins the required 14-day comment period. On or before the date of publication, DPD staff will post the date of the end of the comment period, and its extension date, in the space provided on the sign (see Attachment A).

If, upon field inspection, it is determined that the sign does not meet the requirements of this Director's Rule, the application will need to be renoticed once the corrections are made, resulting in possible delays to the review process. Renotice fees will be charged to the application per the fee ordinance.

Maintenance and Removal of the Environmental Review Sign

Maintenance

The applicant shall maintain the environmental review sign in good condition until the final decision on the application. If the environmental review sign is removed or defaced before the final decision, DPD review of the project or proposal may be discontinued until the sign is replaced and has remained in place for a reasonable period of time. DPD also may give additional published notice and require an additional comment period. If a sign is defaced or removed, it shall be replaced by the applicant. Renotice fees will be charged to the applicant.

Removal

It is the applicant's responsibility to remove the environmental sign at the following times, as applicable:

- Fourteen (14) days after the Director's decision has been issued (twenty-one (21) days after receipt of the shoreline packet by DOE) and no appeal has been filed or the project is withdrawn or canceled;
- If the Director's decision has been appealed, the day after the appeal is resolved by either the Hearing Examiner or City Council; or
- If the decision is made by the City Council, the day after final City Council action on the proposal.

NOTICE OF PROPOSED LAND USE ACTION

Master Use Project #
Address:
Applicant Contact: Phone #:
DPD IS CONDUCTING AN ENVIRONMENTAL REVIEW OF THE FOLLOWING PROJECT:

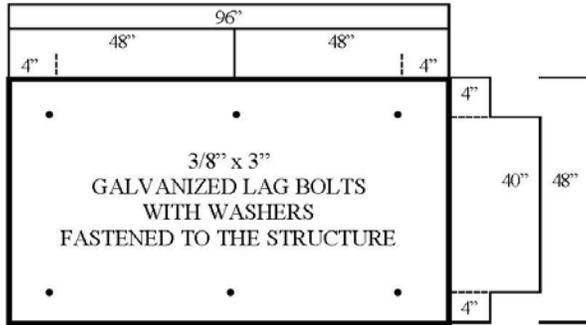
SPACE FOR PROJECT LOCATION MAP

The comment period ends _____ but may be extended to _____ by written request. To submit written comments or to obtain additional information, contact Seattle's Department of Planning and Development (DPD), 700 5th Av Ste 2000, PO Box 34019, Seattle, WA 98124 -4019. Contact by phone (206) 684-8467 or email PRC@seattle.gov. Be sure to refer to Master Use Project # _____.

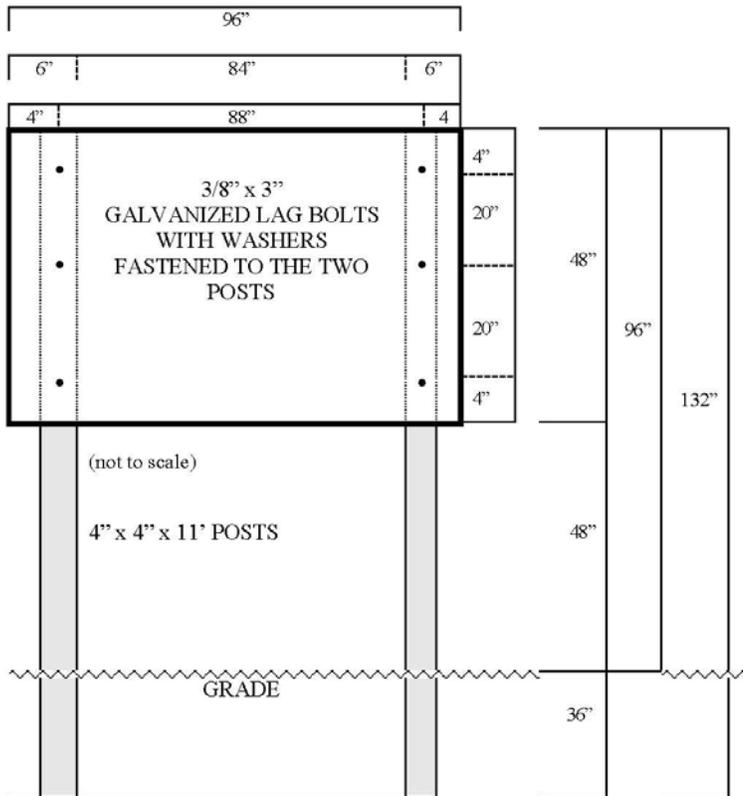
TITLE = 3" CAPITAL LETTERS
OTHER = 1.5" CAPITAL/LOWER CASE LETTERS
PROPOSAL DESCRIPTION = 2" CAPITAL LETTERS
NOTE: All lettering to be standard typeface (Helvetica or similar).

ATTACHMENT A

ATTACHMENT B



(not to scale)



(not to scale)

Department of Planning and Development (DPD)
Public Resource Center
700 5th Avenue, Suite 2000
P.O. Box 34019
Seattle, WA 98124-3019

Phone: 206-684-8467
Fax: 206-233-7901

ENVIRONMENTAL SIGN INSTALLATION NOTIFICATION

DPD Project Number: _____

Site Address: _____

Date of Sign Installation: _____

_____ The Environmental Sign is installed at the location determined at the intake appointment with DPD.

_____ The Environmental Sign is installed at an alternate location on the site. (In the event that this alternate location is not acceptable to the Department, the Department may require the sign to be moved and the application re-noticed. The applicant will be charged for re-noticing the application.)

The alternative location is: _____

Upon receipt of this notification, the application will be considered "complete," DPD will schedule the application for notice, and the comment period will begin. Failure to install the environmental sign and return this form to DPD within 60 days of application submittal may result in a notice of intent to cancel.

This notification must be returned to DPD either: in person, by fax, by mail, or electronically (by going to the Land Use forms on the DPD website).

ATTACHMENT C

PUBLIC PARTICIPATION POLICY 1997-1998

It is the policy of the Planning Commission and Planning, Inspections, and Permitting Department staff to encourage early review on planning and development issues proposed in and affecting development of the City of Folsom.

Planning, Inspections, & Permitting staff will implement the following measures:

- 1) After a project planner has been assigned to a new discretionary project and it has been deemed complete for processing, staff will contact any appropriate homeowner association or registered organization to let them know that a file has been created and that the respective association or organization can review the project description and plans at the front counter in the Planning, Inspections, & Permitting Department at 50 Natoma Street, Folsom.
- 2) Mail to each member of the Planning Commission, a copy of the Planning, Inspections, & Permitting Department 'Tentative Meeting Schedule' on a weekly basis. This schedule establishes the forthcoming meetings for various committees and commissions and City Council and tentatively schedules various entitlement requests for the next 90 days.
- 3) Encourage more citizen participation in all public meetings, including but not limited to, the Architectural Review Commission, Planning Commission and City Council.
- 4) Post agendas for the Architectural Review Commission and Planning Commission at City Hall and the library and other locations as deemed appropriate by the Planning, Inspections, & Permitting Director.
- 5) Notify property owners within 300 feet of the exterior boundary of the subject property for all public hearing items. If the 300 foot radius does not include more than twenty-five residents, this radius will be expanded to include a number of residents to the satisfaction of the Planning, Inspections, & Permitting Director, at the expense of the City.

Although not required by ordinance of the City of Folsom, the applicant for a development project will be asked by staff to:

- 6) Schedule neighborhood meetings with local residents for feedback on the proposed project. Planning, Inspections, & Permitting staff will make reasonable efforts to provide a facility for the meetings and will attend these meetings at the direction of the Planning, Inspections, & Permitting Director. Staff's attendance at the neighborhood meeting is not to be in a participatory capacity with the applicant, but as an observer and future point of contact for the residents.
- 7) Post the project site with a sign identifying the proposed use of the site, if the proposed use is:
 - 1) A non-residential use within a Planned Development (PD) overlay zone;
 - 2) A residential use of 5 lots or more requiring a Tentative Subdivision Map approval; or
 - 3) Any use as determined by the Planning, Inspections, & Permitting Director.

The project sign shall be 4 feet x 8 feet with a white background. Minimum lettering copy size shall be 4" in a contrasting color, and shall identify the proposed and application number, the project proponent, with address and contact telephone number, and the telephone number of the Planning, Inspections, & Permitting Department. This sign shall be posted in an on-site location to be determined by the Planning, Inspections, & Permitting Director and shall be erected after the project has been deemed complete for processing by the assigned project planner. The sign shall be posted at least 30 days prior to any hearing before the Planning Commission or City Council.

(See attached for signage example.)

White Background

PROPOSED PROJECT
ABCD CORPORATION (916) 987- xxxx
1325 E. AGENDA STREET
FOLSOM, CA

APPLICATION 97-1027: CONTACT CITY OF FOLSOM,
PLANNING, INSPECTIONS, & PERMITTING DEPARTMENT
(916) 355-7222

4' x 8'

Project proponent (Address + telephone #)
Proposed Use, Application #
4" lettering minimum size
PIP Department telephone #