

## Chapter 33.705 Neighborhood Contact

# 705

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### 33.705.010 Purpose

The neighborhood contact process provides an opportunity for people who live, work or otherwise pass by a development site to learn about a project before construction begins. It makes the same information accessible online to interested community members. The neighborhood contact steps provide an opportunity for members of the community to provide feedback to the property owner or developer on the design and other aspects of the development. In most cases, the neighborhood contact steps involve a sign posted on the site, but in some larger development scenarios, the property owner or developer will be required to host a public meeting. While the neighborhood contact outreach steps are required prior to submitting for a land use review or building permit, any feedback provided to the property owner or developer is informal and non-binding. By engaging with members of the community early, prior to applying for a review or permit, the property owner or developer has an opportunity to tailor the proposal in response to community comments, ideas or concerns.

### 33.705.020 Neighborhood Contact Steps

- A. Neighborhood contact I.** Neighborhood contact I requires the following notification and posting steps:
1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. The email or letter must be sent at least 35 days, but not more than one year, before applying for a land use review or building permit. A copy of the email or letter, and a list of the email or postal addresses to which the email or letter was sent, must be submitted as part of the application for a land use review or building permit. The email or letter must contain the following information:
    - a. The name, telephone number and email address of the applicant;
    - b. The address of the site of the proposed development;
    - c. A summary of the proposed development; and
    - d. A site plan that includes the proposed development.
  2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.
    - a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and

motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.

- b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.
  - c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.
  - d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.
  - e. The signs must contain the following information:
    - (1) The name, telephone number and email address of the applicant;
    - (2) The name and email address of the neighborhood association that includes the site;
    - (3) The name, telephone number and email address of the district neighborhood coalition that includes the site;
    - (4) A written summary of the proposed development;
    - (5) A site plan that includes the proposed development; and
    - (6) Procedural information provided by the Bureau of Development Services.
3. Online Access
- a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:
    - (1) The name, telephone number, and email address of the applicant;
    - (2) The address of the site of the proposed development;
    - (3) A summary of the proposed development; and
    - (4) A site plan that includes the proposed development.
  - b. The Bureau of Development Services must make the information required by Subparagraph A.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.
4. Required information. The following information must be submitted as part of the application for a land use review or building permit:
- a. A copy of the email or letter that was sent as required by Paragraph A.1.;
  - b. A list of the email or postal addresses to which the email or letter required by Paragraph A.1. was sent;
  - c. A photograph of the sign required by Paragraph A.2. posted on the site;

- d. A signed statement certifying that the required email or letter was sent, and the required signs were posted, at least 35 days, but not more than one year, before applying for a land use review or building permit.

**B. Neighborhood contact II.** Neighborhood contact II requires the following meeting, notification and posting steps:

1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. The email or letter must be sent at least 35 days, but not more than one year, before applying for a land use review or building permit. A copy of the email or letter, and a list of the email or postal addresses to which the email or letter was sent, must be submitted as part of the application for a land use review or building permit. The email or letter must contain the following information:
  - a. The name, telephone number and email address of the applicant;
  - b. The address of the site of the proposed development;
  - c. The date, time and location of the required public meeting; and
  - d. A summary of the proposed development; and
  - e. A site plan that includes the proposed development.
2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.
  - a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.
  - b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.
  - c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.
  - d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.
  - e. The signs must contain the following information:
    - (1) The name, telephone number and email address of the applicant;
    - (2) The name and email address of the neighborhood association that includes the site;
    - (3) The name, telephone number and email address of the district coalition that includes the site;

- (4) The date, time and location of the required public meeting;
  - (5) A written summary of the proposed development;
  - (6) A site plan that includes the proposed development; and
  - (7) Procedural information provided by the Bureau of Development Services.
3. Online Access
- a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:
    - (1) The name, telephone number, and email address of the applicant;
    - (2) The address of the site of the proposed development;
    - (3) A summary of the proposed development; and
    - (4) A site plan that includes the proposed development.
  - b. The Bureau of Development Services must make the information required by Subparagraph B.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.
4. Meeting. The applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:
- a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs B.2. and B.3.
  - b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited. Meetings held between March 8, 2020 and January 1, 2024 may be held remotely using online video conferencing technology. The selected technology must have a phone-in option available to those without access to a computer or mobile device;
  - c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting;
  - d. Be open to the public; and
  - e. Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must

provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.

5. Required information. The following information must be submitted as part of the application for a land use review or building permit:
  - a. A copy of the email or letter that was sent as required by Paragraph A.1.;
  - b. A list of the email or postal addresses to which the email or letter required by Paragraph A.1. was sent;
  - c. A photograph of the sign required by Paragraph A.2. posted on the site;
  - d. A signed statement certifying:
    - (1) That the required email or letter was sent at least 35 days, but not more than one year, before applying for the land use review or building permit;
    - (2) That the required signs were posted, at least 35 days, but not more than one year, before applying for the land use review or building permit;
    - (3) That the required meeting was held at least 14 days before applying for the land use review or building permit, and at least 14 days after sending the email or letter and posting the required signs; and
    - (4) That the notes from the required public meeting were emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, prior to applying for the land use review or building permit.

**C. Neighborhood contact III.** Neighborhood contact III requires the following meeting, notification and posting steps:

1. Notification. The applicant must contact via email or mail the neighborhood association, district neighborhood coalition, and business association for the area, and any neighborhood association, district neighborhood coalition, or business association within 400 feet of the proposal site. A copy of the request and information must also be sent via email or mail to the district neighborhood coalition, neighborhood business association, and school district within whose boundaries the proposal is located. The email or letter must include the following information:
  - a. The name, telephone number and email address of the applicant;
  - b. The address of the site of the proposed development;
  - c. A summary of the proposed development; and
  - d. A conceptual site plan.

The neighborhood association should reply to the applicant within 14 days and hold a meeting within 45 days of the date of mailing the request. If the neighborhood requests the meeting within the time frame, the applicant must attend the meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a

land use review or building permit can be accepted. If the neighborhood association does not reply to the applicant's letter within 14 days, or hold a meeting within 45 days, the applicant must meet the meeting requirements of Paragraph C.4.

2. Sign. The applicant must post at least one sign on the proposed development site at least 35 days, but not more than one year, before applying for a land use review or building permit.
  - a. A sign must be placed on each street frontage of the site. If the street frontage is over 600 feet long, a sign is required for each 600 feet or fraction thereof. Signs must be posted within 10 feet of a street lot line and must be visible to pedestrians and motorists. Signs may not be posted in a public right-of-way. Signs are not required along street frontages that are not improved and do not allow motor vehicle access.
  - b. The required signs must remain on the site until a building permit is issued or one year has passed since the application that triggers the sign requirement was submitted, whichever is less, except that the required signs must be removed from the site when required posting for a land use review occurs.
  - c. The Director of the Bureau of Development Services has the authority to adopt administrative rules to determine the size and layout of the sign.
  - d. A photograph of the required signs posted on the site must be submitted as part of the application for a land use review or building permit.
  - e. The signs must contain the following information:
    - (1) The name, telephone number and email address of the applicant;
    - (2) The name and email address of the neighborhood association that includes the site;
    - (3) The name, telephone number and email address of the district coalition that includes the site;
    - (4) A written summary of the proposed development;
    - (5) A site plan that includes the proposed development;
    - (6) The date, time and location of the meeting required by either C.1 or C.4; and
    - (7) Procedural information provided by the Bureau of Development Services.
3. Online Access
  - a. The applicant must contact the Bureau of Development Services via email, or an online information submittal tool, at least 35 days, but not more than one year, before applying for a land use review or building permit. The email, or online submittal, must contain the following information:
    - (1) The name, telephone number, and email address of the applicant;
    - (2) The address of the site of the proposed development;
    - (3) A summary of the proposed development; and
    - (4) A site plan that includes the proposed development.

- b. The Bureau of Development Services must make the information required by Subparagraph C.3.a available in an accessible online format and as an open data set. The bureau will also provide a way for community members to subscribe to get proactive notification of new information.
4. Meeting. If the neighborhood association does not reply to the applicant meeting request within 14 days, or hold a meeting within 45 days, the applicant must schedule and attend one public meeting. Notes from the meeting and an explanation of any changes made to the proposal as a result of comments received at the public meeting must be emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, before an application for a land use review or building permit can be accepted. The meeting must:
  - a. Be held at least 14 days before applying for a land use review or a building permit, and at least 14 days after sending the email or letter and posting signs required by Paragraphs C.1. and C.2.
  - b. Be held at a location within the neighborhood where the proposed development is located or at a location that is not more than two miles from the boundary of the neighborhood within which the proposed development is located and within the boundaries of the district neighborhood coalition in which the proposed development is sited. Meetings held between March 8, 2020 and January 1, 2024 may be held remotely using online video conferencing technology. The selected technology must have a phone-in option available to those without access to a computer or mobile device;
  - c. Be held at a time between 6 p.m. and 9 p.m. Monday through Friday, or between 1 p.m. and 6 p.m. on Saturday or Sunday and which does not conflict with a scheduled neighborhood association meeting unless held in conjunction with a neighborhood association meeting; and
  - d. Be open to the public; and
  - e. Be in a location that provides access to all members of the public. If requested by a member of the public at least three days prior to the meeting, the applicant must provide language services, alternative formats, auxiliary aids, or other reasonable requests that ensure barrier free access.
5. Required information. The following information must be submitted as part of the application for a land use review or building permit:
  - a. A copy of the emails or letters that were sent as required by Paragraphs C.1. and C.4;
  - b. A list of the email or postal addresses to which the email or letter required by Paragraph C.1. and C.4 were sent;
  - c. A photograph of the sign required by Paragraph C.2. posted on the site;
  - d. A signed statement certifying:
    - (1) That the required email or letter was sent at least 35 days, but not more than one year, before applying for the land use review or building permit;

- (2) That the required signs were posted, at least 35 days, but not more than one year, before applying for the land use review or building permit;
- (3) That the required meeting request was sent;
- (4) That the neighborhood association either did not reply or declined the request or that the neighborhood association meeting take place; and
- (5) That the notes from the meeting, if one was held, were emailed or mailed to the neighborhood association, district neighborhood coalition, business association, school district and any meeting attendees who provide an email or postal address, prior to applying for the land use review or building permit.

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