

REPORT TO CITY COUNCIL

DATE: JUNE 24, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: RAMIRO ADEVA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: APPROVAL OF RESOLUTION NO. 20-1941 FOR ADOPTION OF TEMPORARY GUIDELINES FOR VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUMS DURING COVID-19 PANDEMIC

On May 9, 2018, the City Council approved Resolution No. 18-1866, which adopted the original Guidelines for Development Project Public Forums (“Guidelines”). This was done to further engage the public early in the project development review process, and well prior to notification of a public hearing.

Due to social distancing restrictions in place, as a result of COVID-19, the Guidelines must be temporarily revised to provide guidance specific to conducting public forums virtually during the pandemic.

The Land Use Economic Development Committee (LU/EDC) reviewed the revised draft Guidelines on June 11, 2020. Their comments are included in the temporary Guidelines attached to this report, with proposed revisions to the original Guidelines outlined in red text.

RECOMMENDATION

Staff respectfully recommends the City Council approve Resolution No. 20-1941, for adoption of the Temporary Guidelines for Virtual Development Project Public Forums.

Attachment: Resolution No. 20-1941 and Temporary Guidelines for Virtual Development Project Public Forums.

RESOLUTION NO. 20-1941

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING TEMPORARY GUIDELINES FOR DEVELOPMENT PROJECT PUBLIC FORUMS FOR VARIOUS TYPES OF DEVELOPMENT PROJECTS

WHEREAS, on May 9, 2018, the City Council approved Resolution No. 18-1866, which adopted the original Guidelines for Development Project Public Forums (“Guidelines”), so that a project applicant and the public could engage early in the project development review process; and

WHEREAS, the purpose of the Development Project Public Forums is to provide applicants an opportunity to hear from residents and stakeholders as project designs are being developed, and during the formal application process. The goals are to allow an opportunity for public engagement and for applicants to discuss their project plans with the public, or make modifications in an attempt to address concerns raised by the community; and

WHEREAS, due to social distancing restrictions in place as a result of COVID-19 pandemic (“Pandemic”), the Guidelines must be temporarily revised to provide guidance specific to conducting public forums virtually during the Pandemic; and

WHEREAS, the Land Use Economic Development Committee (LU/EDC) reviewed the revised Temporary Guidelines for Virtual Development Project Public Forums (“Temporary Guidelines”) on June 11, 2020 and recommends that the City Council approve the Temporary Guidelines attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Agoura Hills as follows:

Section 1. The City Council of the City of Agoura Hills hereby adopts the Temporary Guidelines for Development Project Public Forums (“Temporary Guidelines”) in Exhibit “A”, attached hereto and incorporated by reference. These Temporary Guidelines shall remain in effect until the local emergency declared in response to COVID-19 within the City is concluded, at which point the original Guidelines for Development Project Public Forums that were adopted by Resolution 18-1866 shall again apply.

PASSED, APPROVED AND ADOPTED this 24th day of June, 2020 by the following vote to wit:

AYES ()
NOES ()
ABSENT ()
ABSTAIN ()

Illece Buckley Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

EXHIBIT "A"

Temporary Guidelines for Development Project Public Forums



TEMPORARY GUIDELINES FOR VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUMS DURING COVID-19 PANDEMIC

Applicability and Criteria

In order to continue its commitment of informing the community of large development projects proposed in City limits **during the COVID-19 pandemic**, the City of Agoura Hills **still** requires two Development Project Public Forums be held **virtually** for the following development applications:

- a) Any new development project in the Agoura Village Specific Plan area, or any development project proposing an increase in existing building size in the Agoura Village Specific Plan area.
- b) Any commercial, office, industrial, or mixed-use project over 10,000 square feet in size.
- c) Any multi-family residential project consisting of more than six (6) units.
- d) Any development project requiring a zone change, general plan amendment, or specific plan amendment.

This requirement does not apply to interior improvements or single-family home applications.

Purpose

The purpose of Development Project Public Forums is to provide applicants an opportunity to hear from residents and stakeholders as project designs are developed, and during the formal application process. The goal is to allow an opportunity for public engagement and for applicants to discuss the project plans with the public, or make modifications, in an attempt to address concerns raised by the community.

While applicants are not required to embrace suggested changes, they are encouraged to listen and consider the attendees' comments and input.

The City recognizes the public engagement challenges during COVID-19. These temporary guidelines help to facilitate and administer Development Project Public Forums virtually during these times.

Timing of Development Project Public Forums

The first Development Project Public Forum shall be held prior to the applicant submitting an application for planning entitlements to the City. The second Development Project Forum shall be held within thirty (30) days after the City Development Review Committee(DRC) has met and the applicant has received City comments, but prior to the application being deemed complete. Development applications (that are subject to these Guidelines) that have already been submitted to the City but have not yet been deemed complete as of May 9, 2018 shall be required to conduct one Development Project Public Forum and shall follow the requirements applicable to Second Development Project Public Forums as set forth in these Guidelines.

The Development Project Public Forums shall be scheduled on a regular business day, Monday through Thursday. The forums shall not be held on a Federal, State, City or religious holiday, and shall not be held on the same evening as a scheduled City Council or Planning Commission meeting. The times of the public forums shall be approved by the Planning Department and shall not **officially** start before 6:00 p.m., or after 7:00 p.m. **The host of the virtual meeting should allow participants to log-in remotely at least thirty (30) minutes prior to official start time of the virtual meeting, and should be prepared to provide immediate assistance and/or guidance in the event interested participants have problems logging on.** The Planning Department shall also consider avoiding meeting time conflicts with other District or community events, holidays, seasonal events, and the like.

Location of Community Development Project Public Forums

~~The Development Project Public Forums must be located within City limits and may be held on private property, provided that public access to the property is permitted during the forum. The location of the forum shall be approved by the Planning Department to ensure adequate space is available for the public's attendance.~~

~~Due to social distancing regulations, and the need to not promote social gatherings, Community Development Project Public Forums must be held virtually until such time the City determines virtual meetings are no longer necessary.~~

~~Applicant must disclose to the City the virtual platform to be used (i.e., Zoom, Webex, Microsoft Teams, etc), along with a plan and/or strategy, that involves an option of participating telephonically, to allow participation for interested parties unable to use a proposed virtual platform.~~

Notification for the First Development Project Public Forum

The first Development Project Public Forum shall be noticed at least 14 days prior to the date of the forum, and mailed by the applicant to the following:

- a) All residents within a 750-foot radius of the project site.
- b) All Homeowner Associations within City limits for which the City has current contact information.
- c) Any public agency within a 750-foot radius of the project site.
- d) Agencies and individuals who have requested notification of public meetings.

Mailing labels will be provided to the applicant by City staff, at the applicant's expense.

The applicant shall provide the Planning Department with a copy of the Development Project Public Forum notice. **In addition to the normal noticing requirements, all public notices and signs to be installed at the site must provide information/directions regarding the virtual platform to be used, instructions on accessing the virtual meeting and the process of providing comments and/or questions during the meeting. Additionally, there must be a contact name, phone number, and email address where interested parties can receive direct instructions and guidance on the participation process.** The City will provide notification of the First Development Project Public Forum on the City website, and will post a copy of the notice in three public places.

Notice of the First Development Project Public Forum must be advertised by the applicant in a conspicuous space in (preferably) the Acorn newspaper or other adjudicated newspaper of general circulation in the City, as approved by the Planning Department, at least 14 days prior to the date of the forum. A sign announcing the event shall also be placed at the project site at least 14 days in advance of the Development Project Public Forum.

What to Provide at the First Development Project Public Forum

The first Development Project Public Forum shall be structured as an opportunity to exchange ideas with the community about development at the project site. Audience participation in design concepts and development features is encouraged. **A sign-in sheet for all attendees shall be provided. A sign-in sheet is not required for Project Public Forums, so long as virtual meetings are required by the City.** Attendees shall be given to the opportunity to sign-up for notification of a future public forum or public hearing for the project. To assist in this exchange of ideas, the applicant is encouraged to provide the following. **Except for the slide-show presentation, electronic copies of the following shall be made available to the public at least one-week prior to the project public forum. The slide-show presentation shall be made available at least 48-hours prior to the project public forum. Applicant shall include instructions on acquiring the available electronic materials on the notice. For interested parties not able to access or attend the meeting, applicants must provide hard copies upon request.:**

1. A slide show presentation, **with printed copies for the public.**
2. A recent aerial photograph of the site and surrounding area.
3. The City-adopted Zoning Map and zoning designation of the subject property, along with a list of allowable uses.
4. The City-adopted General Plan land use designation of the subject site, and any specific plan, which identifies desired uses or development at that location.
5. Any preliminary plans/concepts/sketches or image boards the applicant has generated to illustrate an idea or concept for the site use. If the applicant has traffic or other specific information, it should be included as well.
6. An opportunity for the public to engage with the design team **in a virtual environment (occurs during the public forum).** **and other subject matter experts;**

~~using a “hands-on” or “charrette” style interactive process.~~

7. The applicant’s company profile or individual biography, past projects or other relevant development background.
8. Contact information for a designated representative and a project website or social media site, if available.

It is also a forum to receive audience comments and suggestions in order to refine the project design. In addition to the above identified eight (8) items, the applicant is strongly encouraged to provide the following materials **electronically or by hard copy upon request, at least one-week prior to the project public forum:**

1. A site plan.
2. Floor plans, building elevations and sections through the project.
3. Renderings or models, drawn to scale and reviewed by the Planning Department for accuracy.
4. A discussion of how the project addresses site and regional requirements, such as traffic, parking, resources, grading, or other environmental areas, and any planned mitigation measures.
5. How the project has addressed the goals or requirements of the General Plan and any applicable Specific Plan.
6. A discussion of special conditions at the site, if appropriate.

Conducting the First Development Project Public Forum

City staff may attend the first Development Project Public Forum. ~~The applicant shall advise attendees that the sign-in sheet may be used as a public document and they are not required to provide their names to participate in the forum.~~ The applicant shall present an overview of the project concept plan, proposed site plan (if available) and explain the development proposal or development idea, and listen to attendees comments. This is an opportunity for the applicant to inform the public about the proposal, and why the applicant thinks it will contribute to the neighborhood and City. After the presentation and questions, the project team (applicant and design professionals) shall ~~be available at a break-out session that evening to~~ facilitate an interactive design process with the public, and take additional questions and suggestions. ~~At the end of the break-out session,~~ The applicant shall summarize to the audience what questions were provided, or ideas received, ~~during the break-out session~~ and take questions from the audience. The applicant shall provide the public with Planning Department staff contact information.

After the First Development Project Public Forum

After the first Development Project Public Forum, the applicant may file the formal application with the City Planning Department. With the application, the applicant must provide the following materials from the forum:

1. A copy of the list developed and used for notification of the Development Project Public Forum.
2. ~~A copy of the sign-in sheet from the meeting.~~
3. ~~A list of attendees, and their addresses, if provided, and who requested notification~~

~~of a future public forum or public hearing for the project.~~

4. A copy of the Acorn or other newspaper ad.
5. Evidence (a copy) that notices were delivered to the required mailing radius through USPS or other targeted mail service.
6. **Electronic** copies of presentation materials from the meeting, and all written questions and answers.
7. Evidence that the applicant has established contact information for a project representative.

Second Development Project Public Forum

The second Development Project Public Forum is an opportunity for the applicant to inform the public about the proposal, and why the applicant thinks it will contribute to the neighborhood and City. ~~At the second Development Project Public Forum, the applicant shall provide a sign-in sheet, which should indicate that the sign-in sheet may be used as a public document.~~ The applicant shall present a slide show of the proposal and then take detailed questions from the audience. As necessary, Planning Department staff will also be present to provide an overview of the various standards, such as those found in the General Plan, any relevant Specific Plan, and the Zoning Ordinance that will be used in evaluating the proposal. City staff will not advocate for or against the applicant's project, or for or against the attendees comments. After the presentation, there will be a ~~break-out~~ session for the applicant's design/engineering team to further address additional public questions, and provide an interactive design exchange to further vet their project proposal. At the end of the event, the applicant will summarize for the audience the input the developer received from the ~~break-out~~ discussions.

Notification for the Second Development Project Public Forum

The second Development Project Public Forum shall be noticed at least 14 days prior to the date of the forum, and mailed by the applicant to the following:

- a) All residents within a 750-foot radius of the project site.
- b) All Homeowner Associations within City limits for which the City has current contact information.
- c) Any public agency within a 750-foot radius of the project site.
- d) Agencies and individuals who have requested notification of public meetings for the project.

Mailing labels will be provided to the applicant by City staff, at the applicant's expense.

The applicant shall provide the Planning Department with a copy of the Development Project Public Forum notice. **In addition to the normal noticing requirements, all public notices and signs to be installed at the site must provide information/directions regarding the virtual platform to be used, instructions on accessing the virtual meeting and the process of providing comments and/or questions during the meeting. Additionally, there must be a contact name, phone number, and email address where interested parties can receive direct instructions and guidance on the participation process.** The City will provide notification of the second Community Development Public Forum on the City website, and

will post a copy of the notice in three public places.

Notice of the second Development Project Public Forum must be advertised by the applicant in (preferably) the Acorn newspaper or other adjudicated newspaper of general circulation in the City at least 14 days prior to the date of the forum. A sign announcing the event shall also be placed at the project site at least 14 days in advance of the Development Project Public Forum.

What to Provide at the Second Development Project Public Forum

The second Development Project Public Forum offers an opportunity for the applicant to inform the attendees about updated plans for design at the site and how the applicant sees the project benefiting the community. It is also a forum to receive audience comments and suggestions regarding the project design. ~~A sign-in sheet for all attendees shall be provided.~~ A sign-in sheet is not required for Project Public Forums, so long as virtual meetings are required by the City. Attendees shall be given the opportunity to sign-up for notification of a public hearing for the project. The applicant shall provide a slide show presentation and is strongly encouraged to provide the following. **Electronic copies of the following shall be made available to the public at least one-week prior to the project public forum. Applicant shall include instructions on acquiring the available electronic materials on the notice. For interested parties not able to access or attend the meeting, applicants must provide hard copies upon request:**

1. A site plan.
2. Floor plans, building elevations and sections through the project.
3. Renderings or models.
4. A discussion of how the project addresses site and regional requirements, such as traffic, parking, resources, grading, or other environmental areas, and any planned mitigation measures.
5. How the project has addressed the goals or requirements of the General Plan and any applicable Specific Plan.
6. A discussion of special conditions at the site, if appropriate.
7. A brief report on the first Development Project Public Forum, including any changes that were made to the project, as a result of the first forum meeting.

After the presentation, the design team shall also be present to engage in a design discussion with the public. Often times, impacts such as traffic, noise, oak trees, or grading may be of concern to the community, so having the applicant's team of experts available to answer questions and take in ideas is strongly recommended. The goal of the second forum is to solicit design ideas in order to vet and obtain community input on the project plans before they are finalized and move to a public hearing phase.

After the Second Development Project Public Forum

After the second Development Project Public Forum, the applicant must provide to the project case planner the following materials from the second Development Project Public Forum:

1. A copy of the list developed and used for notification of the Development Project Public Forum.
- ~~2. A copy of the sign-in sheet from the meeting.~~
- ~~3. A list of attendees, and their addresses, if provided, and who requested notification of a future public hearing for the project.~~
4. A copy of the Acorn or other newspaper ad.
5. Evidence (a copy) that notices were delivered to the required mailing radius through USPS or other targeted mail service.
6. **Electronic** copies of presentation materials from the meeting, and all written questions and answers.
7. The applicant's updated webpage or social media page for the project, if applicable, as well as contact information for a project representative.

The project application shall not be deemed complete until the preceding information is provided to the case planner.

Questions

Please contact the Planning Department at (818) 597-7310 with any questions regarding the first or second Development Project Public Forum. After an application is submitted, the applicant will be assigned to a case planner who will assist you in structuring your second public forum.

Sample Newspaper Notice Template

A VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUM

Due to social distancing requirements as a result of the COVID-19 pandemic, a Virtual Development Project Public Forum will be held to discuss a proposed mixed-use project located at 123 First Street.

The purpose of this public forum is to inform neighboring property owners, businesses and interested community members of this proposal, seek their comments, and respond to questions. Please note that this is a meeting with the developer. **This is not a City of Agoura Hills public hearing or public meeting, and no decisions regarding the proposal will be made by the City of Agoura Hills at this forum.**

The Virtual Development Project Public Forum will be held at 6:00 p.m. on January 1, 2018 via Zoom. Please contact John Smith, (800) 555-5555 Email: abcd@email.org for specific instructions on attending the virtual meeting, or visit Website: www.abcdevelopment.com

Sample Mailing Notice Template

An 8.5" x 11" notice on company letterhead to neighboring properties and interested parties:

A VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUM

A virtual public forum for a proposed mixed-use project located at 123 First Street will be held:

DATE: Monday, January 1, 2018
TIME: Official start time - 6:00 p.m.
Early Log-In time (Encouraged) – 5:30pm
LOCATION: Zoom
CONTACT: John Smith, (800) 555-5555, abcd@email.org for specific instructions on attending the virtual meeting
Website: www.abcdevelopment.com

ABC Development will be holding a Virtual Development Project Public Forum to discuss a proposal to construct a mixed-use project including 30,000 sq. ft. of retail and office space, and 100 multi-family residential units.

The purpose of this Virtual Development Project Public Forum is to inform neighboring property owners, businesses and interested community members about the nature of the proposal and seek your questions and comments. Your attendance is welcome. Please note that this is a meeting with the developer. **This is not a City of Agoura Hills public hearing or public meeting, and no decisions regarding the proposal will be made by the City of Agoura Hills at this forum.**