

REPORT TO CITY COUNCIL

DATE: JULY 22, 2020
TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: NATHAN HAMBURGER, CITY MANAGER
BY: RAMIRO ADEVA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: APPROVAL OF RESOLUTION NO. 20-1950, REVISING THE TEMPORARY GUIDELINES FOR VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUMS DURING THE COVID-19 PANDEMIC

On June 24, 2020, the City Council approved Resolution No. 20-1941, which adopted temporary guidelines to outline the process by which Development Project Public Forums (Public Forums) would be conducted virtually during the COVID-19 pandemic.

Recognizing that public forums had previously never been conducted virtually, it is expected that modifications will be needed periodically in order to adapt the guidelines to be more clear and effective as more public forums are conducted in a virtual environment.

On July 20, 2020, the first virtual public forum is scheduled to occur. During the developer's process of noticing the public in conformance with the guidelines, it became evident that the manner in which the public was notified needed revising to increase visibility and transparency of the public forum for the community.

As a result, staff is recommending that the Temporary Guidelines for Virtual Development Project Public Forums be revised to require developers to notice the public forum using a half-page ad in two subsequent publications of the local newspaper, during the two weeks prior to the public forum date. The recommended language changes are highlighted with red text in the attachment.

The Land Use Economic Development Committee (LU/EDC) concurred with the proposed changes to the temporary guidelines on July 14, 2020.

The resolution has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council approve Resolution No. 20-1950, revising the Temporary Guidelines for Virtual Development Project Public Forums during the COVID-19 pandemic, and rescind Resolution No. 20-1941.

Attachments:

Resolution No. 20-1950
Revised Temporary Guidelines for Virtual Development Project Public Forums.

RESOLUTION NO. 20-1950

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, REVISING THE TEMPORARY GUIDELINES FOR VIRTUAL DEVELOPMENT PROJECT PUBLIC FORUMS DURING THE COVID-19 PANDEMIC AND RESCINDING RESOLUTION No. 20-1941

WHEREAS, on May 9, 2018, the City Council approved Resolution No. 18-1866, which adopted the 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 the COVID-19 pandemic (“pandemic”) and desire to conduct public forums virtually during the pandemic, the City Council adopted Resolution No. 20-1941 on June 24, 2020 to approve Temporary Guidelines for Virtual Development Project Public Forums During COVID-19 Pandemic; and

WHEREAS, in an effort to ensure that the public is provided with adequate advanced notice of the development project public forum in a newspaper of general circulation in the City during the COVID-19 pandemic, staff proposes to amend the Temporary Guidelines for Virtual Development Project Public Forums During COVID-19 Pandemic (“Revised Temporary Guidelines”) to require a minimum one-half page advertisement for the public forum to be published twice somewhere in the first twelve (12) pages of the main section of the newspaper – the first published no less than fourteen (14) days before the public forum and the second no less than seven (7) days before the public forum; and;

WHEREAS, the Land Use Economic Development Committee (LU/EDC) reviewed the “Revised Temporary Guidelines” on July 14, 2020 and recommends that the City Council approve the Revised Temporary Guidelines.

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 Revised Temporary Guidelines for Virtual Development Project Public Forums During COVID-19

Pandemic for Development Project Public Forums in Exhibit "A", respectively, attached hereto and incorporated by reference. The Revised Temporary Guidelines for Virtual Development Project Public Forums attached in Exhibit "A" shall remain in effect only 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 22nd day of July, 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

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 **at least in the first twelve (12) pages of the main section** 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.~~ **The display advertisement shall be a minimum of one-half page, and approved by the Planning Department prior to publishing. The advertisement shall be published twice in the newspaper, with the first publication 14 days prior to the date of the forum, and the second publication seven (7) 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 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.
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).
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 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 facilitate an interactive design process with the public, and take additional questions and suggestions. The applicant shall summarize to the audience what questions were provided, or ideas received, 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 Acorn or other newspaper ad.
3. Evidence (a copy) that notices were delivered to the required mailing radius through USPS or other targeted mail service.
4. Electronic copies of presentation materials from the meeting, and all written questions and answers.
5. 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. 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 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 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 **somewhere in the first twelve pages of the main section of the newspaper. The display advertisement shall be a minimum of one-half page, and approved by the Planning Department prior to publishing. The advertisement shall be published twice in the newspaper, with the first publication 14 days prior to the date of the forum, and the second publication seven (7) days prior to the date of the forum. ~~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 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 Acorn or other newspaper ad.
3. Evidence (a copy) that notices were delivered to the required mailing radius through USPS or other targeted mail service.

4. Electronic copies of presentation materials from the meeting, and all written questions and answers.
5. 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 Half-Page Ad Template

The Public is Invited to Participate in a

**VIRTUAL DEVELOPMENT
PROJECT PUBLIC FORUM**

**Monday, January 1, 2020 @ 6:00pm
Via Zoom Conference Call**

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.***

If you would like to participate, please use the link on the front page of the City's website at www.ci.agoura-hills.ca.us. If you have specific questions for the developer, please email John Smith, (800) 555-5555 or by email at abcd@email.org.

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.**