

88-505-12-A. PURPOSE.

The public engagement process described in this section provides a framework for the notification and meeting process for applicants and registered neighborhood/civic organizations and nearby properly owners to provide an opportunity for applicants to provide information and answer questions and hear any concerns about a land use development proposal which may impact the adjacent area.

88-505-12-B. APPLICABILITY.

The public engagement process described in this section is required in conjunction with the following application types and major amendments to said application types:

1. 88-515 Zoning Map Amendments, including:
 - a. 88-260 Urban Redevelopment Districts;
 - b. 88-520 Master Planned Developments;
2. 88-517 Development Plan Approvals;
3. 88-260 UR Preliminary Development Plans and 88-520 MPD Preliminary Development Plans;
4. 88-525 Special Use Permits;
5. 88-545 Preliminary Plats which propose waivers or modifications pursuant to 88-405-25.
6. 88-535 Minor Subdivisions which propose waivers or modifications pursuant to 88-405-25.

88-505-12-C. PUBLIC ENGAGEMENT PROCESS

1. If a subject property is located within the boundaries of only one registered neighborhood organization or civic organization, the applicant shall send notice of application to that registered neighborhood organization or civic organization prior to facilitating the required public meeting.

The notice must be sent not later than seven calendar days after filing any application referenced in 88-505-12B by non-signature certified mail and email (if available) to the contact of record on the City's website of registered neighborhood and civic organizations.

Notification shall occur on the form provided by the city planning and development director.

The notice shall describe the application and provide the recipient with the option to host a meeting on the application. A copy of the notice shall be provided to the city planning and development department. The registered neighborhood and/or civic organization shall respond to the applicant and city staff in writing, via email within 10 calendar days of the postmark date of the notice or date of electronic transmission to confirm which party will host a public meeting, as well as the date, time and location of the meeting.

2. If a subject property is located within the boundaries of more than one registered neighborhood organization or civic organization, or is not located within the boundaries of any registered neighborhood and/or civic organization, the applicant shall hold a meeting in accordance with the criteria in 88-505-12-C-3.

3. **Required Public Meeting**

- a. At least one public meeting shall be required for all application types listed in 88-505-12-B and must meet the following criteria:
 - i. Be held at least seven calendar days prior to the first scheduled public hearing;
 - ii. Be open to the public and, if held in-person, hosted in an accessible building as defined by the Americans with Disabilities Act;
 - iii. If held in person, not be located in the applicant's office or any place of business affiliated with the applicant;
 - iv. If held in person, not be located in a residential unit;
 - v. Be held at a time outside of normal business hours (normal business hours are defined as 9:00 a.m. to 5:00 p.m., Monday through Friday), unless otherwise agreed to by the applicant and the registered neighborhood and/or civic organizations; and
 - vi. If held in-person, be located within three miles of the subject property unless there is no public building with accessible space located within three miles of the subject property, and agreed to by the registered neighborhood and/or civic organizations.

Although additional meetings may be held, the applicant is not required to follow the criteria set out above.

- b. **Required Public Meeting Notice**

Notice of the required public meeting shall be sent via regular mail, in the form provided by the city planning and development director, to all property owners within 300 feet of the subject property and to each contact of record for the registered neighborhood and/or civic organizations whose boundaries include the subject property. Said notice shall be postmarked a minimum of ten calendar days prior to the required public meeting date. A copy of said notice shall also be provided to the city planning and development department by the same date or the case will be removed from the docket by staff.

- c. **Meeting Information Required**

The applicant shall provide to the city planning and development department documentation of the required public meeting including date, time, location, internet link and/or dial-in information if the meeting will be held virtually, and a copy of the

attendance sheet, in the form provided by the city planning and development director. Said documentation shall be provided to the city planning and development department at least six calendar days prior to the first scheduled public hearing.

A summary may be provided to city planning and development staff by the applicant or any attendee; it must be received at least six calendar days prior to the first scheduled public hearing. Anyone wishing to submit written testimony to the board of zoning adjustment is advised to comply with the rules and regulations of the board of zoning adjustment, and the admission of any such testimony is subject to the discretion of the board of zoning adjustment.

88-505-12-D. FAILURE TO COMPLY

Failure to comply with anything required in this section may be cause for continuance by the city plan commission.

88-505-12-E. MEETING FORMAT

Meetings may be held virtually, in-person, or in a hybrid format. Nothing in this ordinance shall be construed as requiring one or the other; however, when a registered neighborhood or civic organization is present and expresses preference for a particular format within the time frame allotted them in 88-505-12-C-1 the applicant is strongly encouraged to comply with the request.

(Ord. No. 190502, § A, 6-27-2019; Ord. No. 220398, § 1, 5-19-2022; Ord. No. 220997, § 3, 1-5-2023)

Editor's note— Ord. No. 190502, § B, sets the effective date for the provisions of 88-505-12 as October 1, 2019.