

PRE-APPLICATION CONFERENCE TRAINING OUTLINE (2019)

Agenda

1. What are pre-application conferences and why do we have them?
2. What kinds of projects will we see?
3. What is a typical meeting like?
4. How can I be most effective in representing my neighborhood?

Goals for the Pre-application Training:

1. Understand the purpose of a pre-application conference and its role in development review.
2. Learn what a typical meeting is like, and address your questions about what will be discussed, and
3. Offer some advice about how you can be most effective in collecting information for your association and sharing neighborhood information with the applicant to make their proposal better.

What is a Pre-application Conference?

City Code = LOC 50.07.003 (1)(e) the purpose of the pre-application conference is to discuss the proposal, the applicable criteria and the requirements for completing an application.

In other words = The purpose of a pre-development conference is to give an applicant an explanation of what will be expected of them during the City's development review process. It allows them one-on-one time with the assigned planner to ask questions and learn about the codes which will affect their property. It's the rough draft stage.

When is it required?

Required: for all minor and major developments, and ministerial permits for Accessory Dwelling Units that add floor area to the lot, such as an addition to an existing single-family dwelling, detached accessory structure, or a unit above a garage.

Optional: for all other development applications. May be scheduled by the applicant or requested in special cases by the City Manager.

When does it occur?

- The pre-application conference occurs before the applicant has submitted a formal land use application for their project.



It is possible that they will never file a formal land use application or that they may not complete the application process once they start. Some applicants come in for multiple pre-application conferences before ever submitting a formal application.

- Major development applications, partitions and subdivisions and non-residential projects are required to hold a neighborhood meeting prior to submittal of an application.

Prior to the Conference

- Staff schedules the pre-application conference when applications for the conference are received at the Planning desk. Conferences are scheduled a minimum of fourteen days out from the application submittal date.
- Once a date and time are scheduled for the pre-application conference, city staff will notify the designated neighborhood representative from the association. The notification includes a packet sent via email which contains the application materials submitted by the applicant.
- It is your responsibility to RSVP with information about who will attend from your association. Remember attendance will be limited to two neighborhood people.
- Prior to the meeting, the planning support staff sends a request to all staff people who would likely review this project. These staff members are asked to review the materials that the applicant submitted for the pre-app and make comments in writing. Staff visit the site and prepare a pre-app notes, which are distributed at the meeting.
- Please note that only staff are authorized to enter the site. Neighborhood reps or other interested persons must contact the property owner for permission if they would like to make a site visit.

Meetings occur on Thursdays at these allotted times:

- 1:15 pm,
- 2:30 pm, or
- 3:45 pm



Who will be there?

- One or more people representing the property owner or developer. (Keep in mind, you will likely see a variety of types of applicants. Some are professionals who do this all the time, others are property owners who've never come in for a permit.)
- The planner assigned to the case (if this becomes an actual application, this will most often be the person who continues as the assigned planner).
- A representative from the Engineering Department.
- Sometimes you will see a representative from the Fire Department, but most often the Fire Marshal will submit a written report that will be shared during the meeting.

- If there are sensitive lands involved, you might see the City's Natural Resources consultant.

What is discussed?

Most meetings will center around the applicable criteria for the proposed project, i.e., what is allowed by the City's code.

The City's Community Development Code (CDC) has applicable criteria for the various types of proposals that come in. The applicable criteria will vary by the location and type of proposal. They are the criteria that staff will use to make an administrative decision, and the criteria Development Review Commission (DRC), Planning Commission (PC) and City Council (CC) will use in a quasi-judicial or legislative decision. Just like in a court of law, the decisions staff, Commissions or Council make about an application must be clearly based on the criteria laid out in the City code. This is how decisions are made fair and impartial.



If your association presents information to the DRC, PC or CC down the road, the presentation will be most influential if it focuses on the applicable criteria also. Otherwise you may be asking staff, the Commissions or the CC to make a decision that the law simply won't allow them to make.

During the conference, keep your ears open to the applicable criteria presented by the assigned planner.

Note: If your association wishes to change the applicable criteria for projects that occur in your neighborhood, this would require a separate process. The project under consideration is only responsible for the rules in place when they applied. If you'd like to talk about making changes to the City Code or the Comprehensive Plan, contact the Community Development Director.

Conference Agenda

- The assigned planner will lead the meeting.
- The planner has prepared notes which the owner or developer will take with them after the meeting. The notes contain the staff comments collected before the conference began.
- Those staff people who have additional questions for the applicant, or who might need to explain their comments, will be at the conference.
- If a staff person who made comments cannot attend the conference, they usually make themselves available at a later date if the applicant has additional questions.

The Role of the Neighborhood Representative

1. Provide information
2. Build a cooperative relationship
3. Take information back

Provide information

You know the dynamics of your neighborhood and are attending the conference as a representative of the neighborhood. Think of yourself as a resource for this applicant, you are here to provide information.

Build a cooperative relationship

Words of advice:

1. Remain optimistic
2. Respect is the foundation of good relationships

This is an opportunity for the neighborhood to **learn** about a proposal very early on and to share with the applicant ideas and questions that should be considered before the applicant takes the proposal to the community or submits an application.

The process may not result in a perfect project, but your early involvement might make it a better project than it may have been without your participation.

Remember this is probably your first contact with the applicant and vice versa. This is your first opportunity to **share information** and forge a cooperative, working relationship between your association and this applicant. This conference is the time for an open discussion where everyone involved should be allowed to explore and try out ideas.



Don't alienate the applicant even if you know that your neighbors will not support what they are proposing. Relationships built on mutual respect have a much higher likelihood of being successful for both parties over the long haul.

Be constructive by acknowledging the positive aspects of the project and then share concerns you think the neighborhood will have about specific aspects of the

proposal. Try saying, "I appreciate that you would like to have a successful business and the neighborhood supports local businesses, but the neighbors may have some concerns about where your customers will park, so you may want to be prepared to talk about parking when you come to the community meeting."

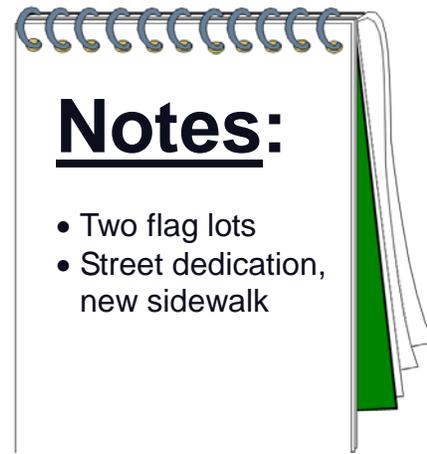
Just as you are hearing about the applicant's ideas for the first time, the applicant might be learning for the first time about the limitations to developing the property, which could be frustrating. The staff who attend these meetings know not to let this frustration rub off. You should do the same. Don't let it make you forget your #2 goal, to **build a positive working relationship** with this applicant.

Take information back

- Take notes.
 - Project details.
 - First impressions.

- Controversial items.
- Find out what happens next.
- Ask the applicant to include you in the mailing list they submit with their application so you will know if/when this becomes an “official” application.
- *Ask questions after the conference.*

You are invited to share your concerns about the project in writing prior to the meeting just like staff does. These comments should be submitted Wednesday before the meeting. Written comments are an excellent way to present your ideas in a clear and succinct manner that the applicant can refer to later. Try to keep your comments short and to the point that you are sure to be understood. If you were not able to provide written comments before the meeting, you may want to send a copy of your notes to the assigned planner so he/she can work these into their notes.



You may also want to follow this case if it becomes an application by asking the applicant to add you to their required mailing list for notification when the application is complete. You can also ask your association chair to inform you because they receive notices of certain applications inside your neighborhood. Once an application is received and deemed complete, you can visit City Hall and ask to see a copy. The Planning Division has 120 days from the day the application is complete to make a decision. This time frame includes any appeals to the DRC and/or CC. Reviewing the application can help you prepare comments as well.

What if you don't like what you are hearing?

If you don't like what is being proposed, the approach here suggests that you give the applicant the benefit of the doubt and a chance to make improvements before filing a final application. This is a first draft after all! But what if you don't like what the code allows? Or what if you don't agree with the interpretation of the assigned planner or other city staff?

If there are aspects of the City Code that you are not happy with, the pre-application conference is not the best forum to voice that concern. The reason: No one in the room can change the code. **Write down your thoughts** and make an appointment to talk with the assigned planner, Planning Manager or Community Development Director about this issue. Staff can help you understand the process of changing the City code.

If you do not like the planner's interpretation of the City's code, write that down in your notes and **talk to them outside the meeting**. Inside the meeting is not the most professional place to question their decisions. Additionally, the ideas you record can form the basis for letters or testimony the association might choose to submit during the public comment period of the land use application. This is not meant to dissuade you. You have the right to disagree with anything you wish. It is simply meant to direct you toward the appropriate forum for making the changes you desire.

Last, if there are questions which arise during the meeting, **write them down too**. Ask your questions after the meeting, or collect them together and set up a time to talk with the assigned planner.

Share information at the Neighborhood Association meeting after the pre-application conference:

Goals:

1. To clear up areas of confusion ask questions.
2. Share concerns about the proposal.
3. Provide ideas about how to improve the project.