

## PRE-APPLICATION TRAINING

### 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* = CDC 50.77.020 (3) 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

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 application for their project.

*It is possible that they will never file a formal 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.

## Who will be there?

1 and 2. 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.)



3. 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).

4. A representative from Engineering. Very often this person is Russ Chevrette

5. Sometimes you will see a representative from the Fire Department, but most often the Fire Chief will submit a written report that will be shared during the meeting.

6. If there are sensitive lands involved, you might see the City's Natural Resources Coordinator, Jonna Papafthimiou.

## Format of a Typical Conference

- When applications for a pre-application conference are received at the Planning desk, staff has two weeks to schedule a conference.
- Once a date and time are scheduled and announced to the applicant, the planner will notify city staff of the upcoming meeting and the designated neighborhood representative from the affected association.

- Please provide the phone number or preferably the email address you would like the planners to use before you leave tonight. It is your responsibility to RSVP with information about who will attend from your association. Remember attendance will be limited to two neighborhood people. A few days later you can expect a packet to arrive in the mail which contains the application materials submitted by the applicant.
- Prior to the meeting, the planning support staff sends a request to all staff people who would likely review this project once a formal application had been received. These staff members are asked to review the materials that the applicant submitted for the pre-app and make comments in writing.

Meetings occur on Thursdays at these allotted times:

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



**What is discussed?**

Most meetings will center around the applicable criteria for the proposed project. This means, 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 DRC, Planning Commissioners and City Council will use in a quasi-judicial or legislative decision. Just like in a court of law, the decisions staff, Commission or Council makes 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, it will be most influential if it speaks to the criteria also. Otherwise you may be asking staff, Planning Commission or City Council 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 currently 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, talk to Sarah or Laura, the neighborhood planner's for guidance.

## Conference Agenda

- The assigned planner will lead the meeting.
- The planner has prepared a report which the owner or developer will take with them after the meeting. This report contains 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.

### Suggested Goals:

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

#### Provide information

You know better than anyone the ins and out of your neighborhood, think of yourself as a resource for this applicant, you are here to provide information.

You are a representative of the neighborhood. You speak for them. Avoid conflict by letting the group's opinions guide your words rather than leading with your own opinions.

#### Build a cooperative relationship

Number one piece of advice = Remain optimistic.

Allow an applicant to be innocent until proven guilty. This is an opportunity for you to **learn** about a proposal very early on and to tell the applicant what they should be aware before they take a proposal to the community or submit an application.

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

Even if you don't like what is proposed, this is not the time for an attack. This is 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. Think of things you don't like about the proposal as "mistakes" made by a person who didn't understand the specific dynamics of your neighborhood.... and you're here to tell them what they'll want to know!

You are not here to fight; you are here to **share information** and forge a cooperative, working relationship between your association and this applicant. If required, the fighting can come later.

**Be constructive** Try saying, "The neighborhood may have some concerns about the height of this structure," or "You may want to be prepared to talk about parking when you come to the community meeting. My neighbors may have some concerns about where your customers will park," or "I am worried about the size of this setback. Mrs. Brown, who lives next door might have some concerns about maintaining her privacy."

Applicants may feel angry or frustrated by the limitations they are learning about for the first time. 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. If they refuse to cooperate, at least you tried your best to make this a positive experience.

#### 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 afterwards.



You are invited to share your concerns about the project in writing prior to the meeting just like staff does. These comments are always due the Tuesday before the meeting at noon. 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 they can work these into their staff report.

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 180-days from the day the application is complete to act upon it. Typically, a hearing is scheduled within a month or two and staff sets to work writing their staff report. 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 to Eryn, the neighborhood planner, about this issue. She 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, but you can always ask them to incorporate your association's difference of opinion into their staff report. Additionally, the ideas you record now can form the basis for letters or testimony the association might choose to give to the hearing body that will make the final decision on the 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.

