



DATE: February 4, 2015

AGENDA ITEM #5

TO: Design Review Commission
FROM: David Kornfield, Planning Services Manager
SUBJECT: Notification Requirements

RECOMMENDATION:

Provide a recommendation to the City Council on the notification requirements

BACKGROUND

On December 9, 2014, the City Council considered a Resolution adopting an Open Government Policy. Among the initiatives in the policy was a section on Public Noticing. The following was the proposed language:

1. All public notices will be mailed, posted or published by a City department, task force, agency or Commission to residents residing within 1,000 feet of a specific area to inform those residents of a matter that may impact their property or that neighborhood area. These will include all residential and commercial property changes, including remodels and new construction, and shall be brief, concise and written in plain, easily understood English.
2. The public notice will inform the residents of the proposal or planned activity, the length of time planned for the activity, the effect of the proposal or activity, and a telephone contact for residents who have questions.
3. If the notice informs the public of a public meeting or hearing, then the notice shall be delivered no later than 10 days before the public meeting or hearing.
4. Notices shall also be posted at residential sites on signs that are at least 9 inches by 12 inches in size. Notices shall be posted at commercial sites on signs that are at least 3 feet by 6 feet in size.

Following discussion, the City Council referred the matter to the Design Review Commission and the Planning and Transportation Commission for a recommendation on what the noticing requirements should be, including distance of noticing and the manner of notices (language, size, form, timing, etc.).

DISCUSSION

Notification Wording and Boundary

For Design Review the City Code requires notifying the 12 surrounding properties from a subject property at least 10 days prior to a meeting. This typically includes the two properties on either side, the five across the street, and the three behind. For Variances the City Code requires a 500-foot radius mailed notice and a newspaper ad both within 10 days of the meeting. The agendas for Design and Variance applications are also posted at City Hall at least 72 hours prior to a meeting.

Variances are required public hearings that require mandated wording including identifying the applicant, a project description, the address of the subject property, the date and place of the meeting, the hearing body, and where the plans are available. We also include information on how to obtain more information such as by including the phone number of the project planner. Whether it is a legal public hearing or not, we follow the State-mandated requirements for public hearings for each project notice in terms of wording. Attachment A includes an example of our notice wording.

Council's concern about notice wording and the duration of project or listing project's effects is relevant to City projects such as road work where something is ongoing. Therefore, staff is not recommending any changes to the notice wording for planning projects.

The State-mandated minimum notice boundary for public hearings such as for a Variance is 300 feet. The City has adopted a more expansive boundary of 500 feet. The City Council is considering expanding the notification boundary from 500 feet to 1,000 feet. Attachment B shows example radii of 500 feet and 1,000 feet from a property. Generally, there is a four-fold increase in the number of properties when a notification radius is doubled; however, the actual number of properties is dependent on the context.

For Variances staff finds that 500 feet is sufficient to notify those properties that may perceive or receive a direct effect of a project. Increasing the radius does not necessarily ensure better public input. It is staff's experience that when a project is controversial we receive considerable public input beyond the notification boundary due to word of mouth or due to the posted notice or other advertisements and our email agenda notification.

For regular Design Review, staff recommends keeping the notice to the 12 surrounding properties since the intent of this notice is to include those properties that may be visually impacted or have privacy impacts. The 12 surrounding properties also coincide with the neighborhood context definition in the City's Neighborhood Compatibility Worksheet.

Notification Timing

State law and the City Code requires mailing and publishing public hearing notices at least 10 days prior to a hearing. Typically staff mails our notices 14 days in advance of a public hearing or meeting date so that they are received within 10 days.

Posted Notices

The City's Design Review and Variance code requires posting a notice on-site within 10 days of a public hearing or meeting in a form required by the Community Development Director. The intent of the posted notice is to advertise projects to the general public that may be affected by a project.

The posted notice is printed on hard-stock, yellow, letter-sized paper with the word "NOTICE" in large, bold font. The notice is posted on-site at or near the front property line. The posted notice contains similar wording as the previously described mailed notice. An example of such a posted notice is included as Attachment C. Staff developed the yellow, letter size notice as an easily reproduced item that is a sufficient size to attract attention but not detract from the visual environment.

The City Council has expressed an interest in making residential posting notices nine inches by 12 inches, which is essentially the same size as is our current practice. Staff agrees that we should make posted notices more prominent since posted notices are visually effective. For single-family Design Review and Variances staff recommends that we increase the size of our posted notice to 11 inches by 17 inches. This is a size that will stand out better and will allow us to include a front elevation of the project.

Attachments

- A. Example Mailed Notice
- B. Notification Radius Map
- C. Example Posted Notice



ATTACHMENT A

Community Development Department

One North San Antonio Road
Los Altos, California 94022-3087

January 22, 2015

Dear Property Owner:

The City of Los Altos has received a design review application from S. Benzing Architect for a two-story house at 1251 S. Springer Road. The project includes 2,121 square feet on the first story and 1,157 square feet on the second story.

The Design Review Commission will consider the application at 7:00 p.m., Wednesday, February 4, 2015. The meeting will be held in the Community Chambers at City Hall, One North San Antonio Road, Los Altos, California with an opportunity for public comment.

We encourage persons who are interested in this project to review the plans at either the Community Development Department office at City Hall, or the Main Library at the Civic Center, prior to the Design Review Commission meeting. The Community Development Department office hours are Monday - Friday from 8:00 AM to 12:00 Noon, and from 1:00 p.m. to 5:00 p.m.

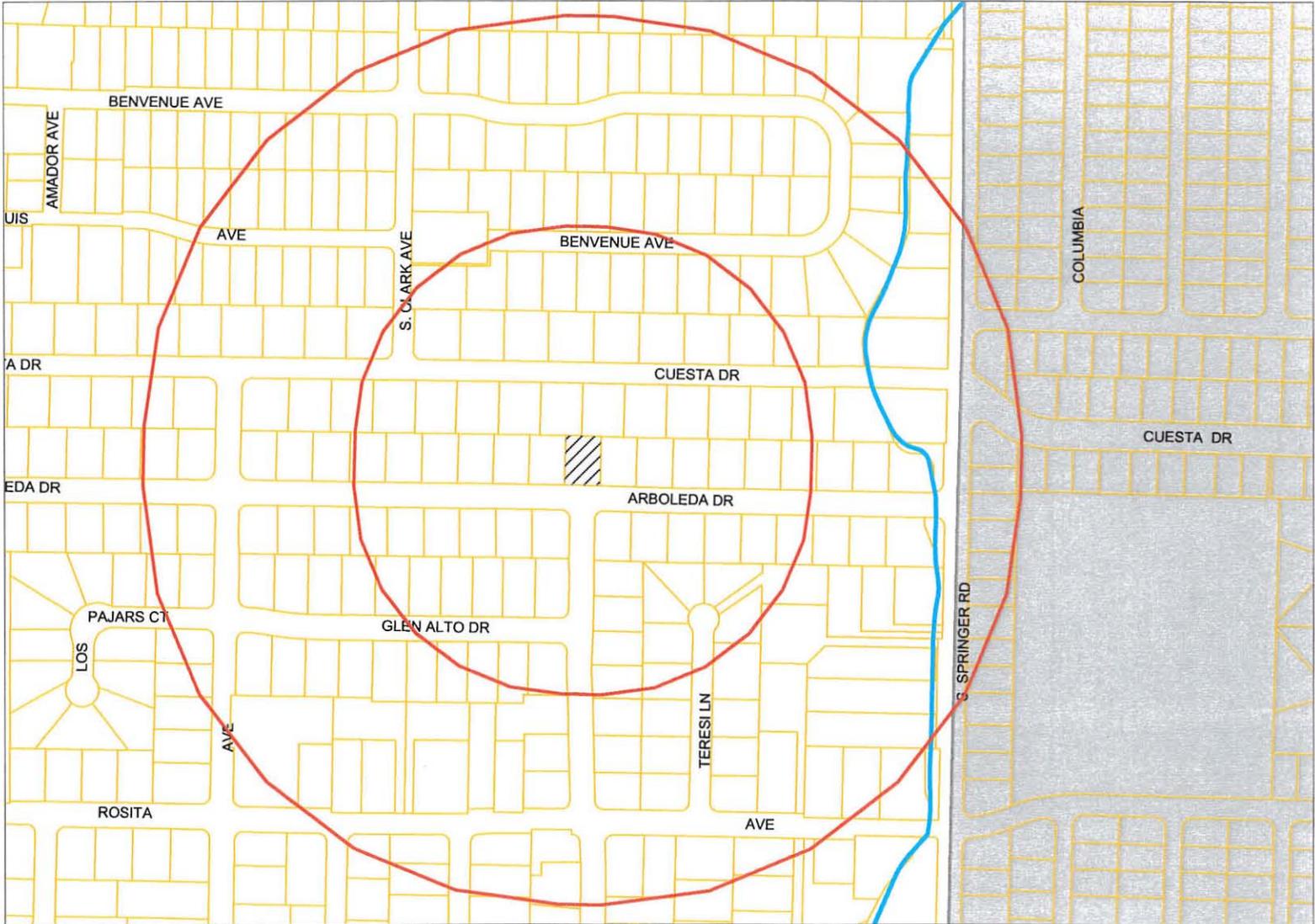
If you should have questions, please contact your neighbor or the Community Development Department at (650) 947-2640.

Sincerely,

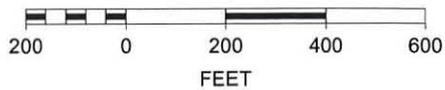
Sierra Davis
Assistant Planner

625 Arboleda Drive 500 and 1000-foot Radius

ATTACHMENT B



SCALE 1 : 4,572





NOTICE

PROPOSED PLANS FOR 1251 S. SPRINGER ROAD

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Any written comments about this application should be addressed to the Design Review Commission, and should be mailed or delivered to the Los Altos Community Development Department/Planning Division, One North San Antonio Road, Los Altos, CA 94022. General questions can be answered by calling the Community Development Department at (650) 947-2640.

(SEE REVERSE FOR POSTING INSTRUCTIONS)