

Discussion Item #1 Public Noticing

BACKGROUND AND PURPOSE

Staff was asked by the Policies and Procedures Committee at their April 2017 meeting to explore the possibility of providing greater notice to the residents of Oakland, particularly to tenants near development sites. Also, the Policies and Procedures Committee asked staff if we could begin posting notice signs on all street frontages of properties that face multiple lots. Progress has been made on all of these topics and this report is to review where the City is at with these efforts.

The *minimum* standard for public notice of a discretionary Planning permit is typified by the following section related to Major Variances:

17.134.040 Procedures for consideration.

A. Major Conditional Use Permits.

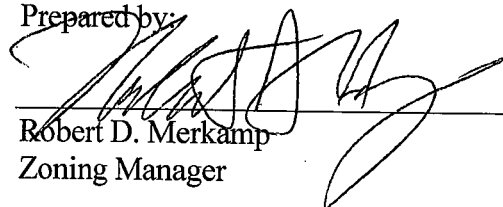
1. In All Zones. An application for a major conditional use permit shall be considered by the City Planning Commission which shall hold a public hearing on the application. Notice of the hearing shall be given by posting an enlarged notice on the premises of the subject property involved in the application. Notice of the hearing shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the City within three hundred (300) feet of the property involved; provided, however, that failure to send notice to any such owner where his or her address is not shown in said records shall not invalidate the affected proceedings. All such notices shall be given not less than seventeen (17) days prior to the date set for the hearing...

The City has spent a considerable amount of time researching how other cities do public noticing, and learning what options exist to effectively notice not just property owners, but also building tenants. Some cities researched, like Oakland, only require notification of property owners by mail, perhaps including an on-site poster of varying size, from our 2'x 3' sign to a small billboard erected on the lot by the developer. Others also include tenant notification in their requirements, and some look to outside mailing agencies to handle this. After internal discussions, staff feels that going with a third party vendor will be able to satisfy the needs for tenant notification while at the same time relieving staff of the time-consuming and laborious process of creating the public notices, which currently involves generating addresses of property owners (residential, civic, commercial, government, etc.) from the computer GIS system, making multiple (often hundreds of copies) of multi-page agendas, labelling envelopes, stuffing envelopes and then getting these to the mail room on time. It is a full effort and consumes numerous people hours that could be used elsewhere. Given the demands of the system, it means when a resident receives a mailing from the City, they often see an entire agenda of cases and not just the item next to their property. This leads to confusion from the public as it's not always clear why they're getting the mailing. Each of the mailing services the City has talked to can send a letter, a postcard or whatever format we deem appropriate and tailor them so only the item that is triggering the mailing is sent to the affected neighbor. This will save on costs for mailing and cut down on confusion. The City is still in the process of selecting the vendor but should be able to begin prototyping this sometime in 2019. Staff would like feedback on this process from the Committee.

As for the notice sign request, the City has begun implementing a policy requiring one public notification sign shall be placed on the edge of the property for each frontage. So, a property that fills an entire city block and has four frontages shall be required to post and maintain four signs, one per frontage. This appears to be working rather well, staff has been trained on the policy and customers who need multiple

signs appear to be adhering to it. As a next step, staff has contemplated whether the notice sign process is still the best way to go. When introduced in 2007, it was fairly cutting edge but as time has gone on, there are drawbacks. Under our current practice, the city buys and maintains these signs (known as “yellow notice signs” for their bright yellow color), and we are dependent on the applicant to return them (failure to do so causes the applicant to essentially forfeit the \$50 deposit they pay). Lately, applicants are less likely to return them. Some are being reused by regular developers while others are simply abandoned, contributing to litter problem in some parts of the community. While the fee above is enough for replacement, it doesn’t cover the costs of retrieval and staff doesn’t have the resources to track down abandoned signs. Many signs have been defaced or stolen as well, or the inserts ripped out, depriving other residents of the project notice information they were meant to display. Each sign not returned is a sign lost and we periodically have to buy another group of them. Many jurisdictions no longer use such signage, particularly for larger projects, but instead require developers to erect signage on their property, designed to set standards and with requirements for what information will be placed on the sign. These signs tend to be more durable and are easier to read. Staff would like feedback on this process from the Committee as part of the overall public notification process as we continue to work to providing more information to our residents.

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