



# Communication to Planning Commission

Community & Economic Development  
Planning Division

To: Planning Commission Members

From: Nole Walkingshaw

Date: December 12, 2012

CC: Karen Hale, Mayors Office; Mary DeLaMare-Schaefer, Community and Economic Development

Re: Additional information for the Recognized Community Organization Ordinance Text Amendment Petition# TMTL2012-00013. Tabled November 14, 2012

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On November 14, 2012 the Planning Commission tabled the decision on the Recognized Community Organizations Ordinance, text amendment Petition# TMTL2012-00013. This matter was tabled following the public hearing and it was requested that staff presents additional information regarding the Planning Divisions policies on public engagement and present an alternative definition specifically defining and separating community councils from other recognized community organizations.

The purpose of the proposed amendment is stated in the ordinances purpose statement. It is important to note that the intent of this amendment is not to take away from the organizations currently recognized by the City. This ordinance intends to strengthen the opportunities for the community to engage with the City building upon the efforts of the past participants.

*Purpose Statement: It is the policy of Salt Lake City to create a framework by which the people of the City may effectively organize into community organizations representing a geographic area or field of interest, and use this as one way to participate in civic affairs and improve the livability and character of the City and its neighborhoods. Salt Lake City values the benefits these organizations bring to the community and holds each in equal regard.*

During the public hearing a common concern expressed from the community was the desire to maintain early public notice on major City initiatives and development projects. There was a feeling that the proposed draft ordinance may limit these opportunities. Section 2.60.50.C of the draft ordinance

requires departments to develop policies and procedures to show how they will provide notice and early participation opportunities for pending major city actions. In response to these concerns the Planning Division has prepared the Salt Lake City Planning Divisions Public Input Process Policy, see Attachment A. It is important to note the difference between policies designed to engage the public early in the decision making/development process and the legal requirements found in code Section 21A.10.020 Public Hearing Notice Requirements. The public hearing notice requirements found in Section 21A.10.020 have been recently amended and adopted by the City Council with the purpose of standardizing a common notice requirement for public hearings.

Staff was asked to prepare a second definition specifically defining community councils. Below is a draft definition for your review. The intent of the ordinance to recognize a variety of groups equally, a unique definition may give rise to the perception or codification of special privileges not afforded to others. For example in policy guides established by departments would read community organization/community council or they would have to separate the issues stating they would go to one or the other or both. The Salt Lake City Planning Division Public Input Process Policy lists only community organizations. Staff recommends maintain the single definition, it clearly permits and embraces the community councils and the Planning Divisions public input policy establishes the expectation for early engagement with all recognized community organizations.

#### 2.60.020: DEFINITION

- A. Community Organization: A voluntary group of individuals organized around a particular community interest for the purpose of collectively addressing issues and interests common to that group. A community organization is not a subsidiary of Salt Lake City government.
  
- B. **Community Council: A voluntary group of residents and owners of real property in a defined geographic area of the city for the purpose of collectively addressing issues and interests common to and widely perceived throughout that area. A Community Council is not a subsidiary of the Salt Lake City government.**

At this time Staff recommends that the Planning Commission adopts the ordinance presented in the staff report subject to the findings listed there in. Staff also recommends the Planning Commission review the Salt Lake City Planning Division Public Process Policy, offering suggestions for improvement and expectations that will help better assist the Planning Commission in their decision deliberation processes.

**ATTACHMENT A:**

**Salt Lake City Planning Divisions Public Input Process Policy**

## Salt Lake City Planning Division Public Input Process Policy

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### Community Organization Notification and Response

Within four days of deeming the application complete, the Project Planner will send a notice the applicable recognized community organizations Chair(s) inquiring as to whether they want to review the request for zoning map amendment, conditional use, planned development, alley vacation, master plan and / or master plan amendment.

The Project Planner should include as much information about the request as possible when contacting both the recognized community organizations Chair(s) and Business Groups. This can be sent via email (preferably) or US mail and stating the time frame when the request could be presented. Copies of all contact should be kept in the case file and on Accela as part of the public record

The recognized community organizations chair(s) have 45 days to provide comments, prior to the request being scheduled for a public hearing. If comments are not received within the 45 days, the Project Planner may proceed with scheduling the item for public hearing.

- a. The Planner is expected to attend the recognized community organizations(s) meeting to answer questions regarding the zoning ordinances, planning process, or plan policies.
  - b. The Planner is not there to advocate or speak for the Applicant.
  - c. The Planner may only present the information to the recognized community organizations where the project is a City Initiated Petition that the Planning Division is speaking on behalf of the City.
  - d. The Planner should:
    - i. take notes on what issues are raised and the general sentiment of the Community Council towards the project
    - ii. get a general count of the number of citizens in attendance at the meeting and reflect this in the Staff Report in the event the recognized community organizations does not submit anything in writing
1. Where a regular scheduled recognized community organizations meeting will not be held within the 45 day time limit or other meeting as per the recognized community organizations, the Project Planner will request a meeting with the executive board to obtain input. This typically occurs in the months of July, August and December.
  2. Where a project is within 600 feet of the boundaries of another recognized community organizations district, west of 2200 West, or a text amendment, the Planner will schedule the item for the upcoming monthly Open House. When an Open House is to be held, the Project Planner

will send information to applicable recognized community organizations chairs and business groups, with information about the project so they can inform their members of the Open House. The Open House notice should also be sent to the individuals on the mailing list for the project in the case of a matter affecting a geographic area, such as a rezoning, so affected property owners may attend and comment.

3. For text amendments, the Project Planner should strive to compile and notify a list of individuals, or groups who may be interested / affected by the proposed regulations.
4. Where the issue is high profile or controversial, Open City Hall should be used.
5. Once information has been presented to a recognized community organization neither the Applicant nor the Planner is obligated to return to the group. If the Applicant agrees to return to the recognized community organizations, the Planner will notify the recognized community organizations Chair that we will begin working toward scheduling the public hearing.
6. Where applicable, the project should be scheduled with the applicable City Advisory Boards. This is especially important with master plans, master plan amendments, zoning text amendments, etc. Contact Board Staff to schedule the item on the next agenda. The Boards include:

a. Historic Landmark Commission	Joel Paterson- Planning Manager
b. Transportation Advisory Board	Kevin Young- Deputy Director
c. Business Advisory Board	Dan Velasquez-Manager
d. Public Lands Advisory Board	Emy Maloutas, Director
e. Public Utilities Advisory Board	Jeff Niermeyer- Director
f. Housing Trust Fund Adv. Board	LuAnn Clark- Director
g. Airport Authority	Allen McCandless-Planning Director
h. HAAB	Randy Isbell-Administrator

## Open Houses

1. Open Houses are held for:
  - a. City-wide zoning text amendments and policy documents (e.g., community plans, small area plans, historic preservation plan)
  - b. Current Planning Projects that are within 600 feet of 2 or more recognized Community Organizations boundaries
  - c. Projects located west of 2200 West.
2. The Open Houses are held on the third Thursday of the month. They are usually held on the first floor hallway and in Room 126 of City Hall but may be held off-site (usually at the Library). They are scheduled from 4:30 – 6:00 p.m. On rare occasions they may be held on other days and in other locations.

3. The applicable Secretary is responsible to ensure the agendas are sent to the list serve and are posted on the webpage. Although there is not a legal notification requirement, the agenda and list serve notices should be sent and posted at least 2 weeks prior to the meeting.
4. Documents relating to the Open House agenda items should also be posted to the website prior to the meeting where appropriate.