

## Citizen Participation Guidelines

Every application for a general plan amendment, special use permit, or rezoning shall follow the requirements contained in Section 2.08 of the Town's Zoning Ordinance for the implementation of a Citizen Participation process. The following guidelines are provided to assist applicants in carrying out this ordinance requirement.

### Notes:

- *Citizens – the Citizen Participation Process has been established and designed to provide you the opportunity for early involvement in a development proposal in your neighborhood involving a General Plan Amendment, a change in zoning, or a Special Use Permit to allow a specific use or activity on the property not generally available. The applicant for the development will be required to provide you with information about the proposed project and provide you with a means to make comments. While the hope and desire is that they will respond to positive suggestions to improve the proposal to avoid any adverse impacts, they are not obligated to make any changes. The applicant is, however, obligated to provide a report to the Town listing the comments made and how they have responded to those comments. Staff will be able to take that information into account when preparing a staff report and recommendation on the request. You will also be able to continue bringing up items of concern at the public hearing(s).*
- *Applicant – It is your responsibility to draft and submit the required Citizen Participation Plan and subsequent Report. The purpose of the Citizen Participation Process, as provided below, is geared to encourage conversation between the developer of a property and the surrounding neighbors to help ensure the proposed development will add to the quality of the neighborhood. As the applicant, you are not under any obligation to make changes to your project in response to the comments and concerns of the neighbors. You are, however, obligated to prepare and implement a reasonable and realistic method to engage the surrounding neighbors in a meaningful way, record what their comments, questions, and concerns are, and report them along with your responses.*
- *The requirements for providing and implementing a Citizen Participation Plan are separate from and do not substitute for the public hearing notice that will take place prior to a public hearing. Those notice requirements (mailed notice, posting the property, and publishing in the local newspaper) will also be followed to inform the public of the hearings.*

The purpose of the Citizen Participation Process is to:

1. Ensure that applicants pursue early and effective citizen participation in conjunction with their application, providing the applicant with an opportunity to understand and address any real or perceived impacts their development may have on the community;
2. Ensure that citizens, property owners, and neighbors have an adequate opportunity to learn about proposed developments that may affect them and to work with applicants to resolve potential concerns at an early stage of the process;

3. Provide flexible means for applicants and citizens to engage using the means most appropriate for the given project and the technologies available to include property owners who are in town and out of town; and,
4. Facilitate communication between the applicant, interested citizens and property owners, and Town staff, throughout the application review process.

The Citizen Participation Plan is not intended to produce complete consensus on all development proposals, but is intended to encourage applicants to be good neighbors and to allow for informed decision-making.

It is advised that applicants discuss their Citizen Participation Plan with staff prior to finalization of the Plan to help ensure the goals and intent of the Town are being met and reduce the possibility of delay later in the process.

An applicant may submit a Citizen Participation Plan and begin implementation prior to formal application, but not until after consultation with Planning staff.

#### Citizen Participation Plan

The Citizen Participation Plan must be submitted with a General Plan Amendment, Rezoning, or Special Use Permit application. Failure to submit a complete Plan meeting the requirements of the Ordinance and/or failing to implement the Plan may result in postponement of the public hearing for the associated application.

At a minimum, the Citizen Participation Plan shall include the following information:

1. A list of residents, property owners, interested parties, political jurisdictions and public agencies which may be affected by the proposed development;
2. How those interested in, and potentially affected by, a proposed development will be notified that such application has been made;
3. How those interested and potentially affected parties will be informed (e.g. mailing, going door-to-door, etc.) of the substance of the change, amendment, development, or other action proposed by the application;
4. How those affected or otherwise interested will be provided an opportunity to discuss the proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing (e.g. group meeting, virtual meeting, email, phone, etc.);
5. The applicant's schedule for completion of the Citizen Participation Plan that includes adequate time for notice prior to holding any meetings or input sessions (generally at least 15 days in advance); and
6. How the applicant will keep the Development Services Department informed on the status of their citizen participation efforts.

Notification List: The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The typical target area for notification of an application is:

1. Property owners within the required public hearing notice area (currently set at 300');
2. Any HOA's or other recognized neighborhood groups within that same notice area;
3. The Town Planning Division (Town staff may attend meetings); and,
4. Any other persons who have communicated with the Development Services Department their desire to be notified of any development proposals.

Notice Contents: The information provided to the people on the contact list needs to provide those receiving the information sufficient information to have a clear picture of what is being proposed. The information must include, at a minimum, a:

1. Location map clearly identifying the parcel(s) involved;
2. A site plan showing the nature of the development being proposed (if an existing building is being used with no modifications an aerial image can be used);and,
3. A narrative that further explains the proposed development including, but not limited to:
  - a. Requested general plan designations or zoning designation, as appropriate;
  - b. Anticipated time frame for development; and,
  - c. Any deviations from standard code anticipated with the development.

Citizen Notice and Input Options: As stated above, the Ordinance allows flexibility to the applicant in establishing methods to be used to provide information and receive comments. Care should be taken when preparing the Plan to establish methods appropriate for the location of the property, nature of the request, and time of year the application will be processed. Applications involving new construction should consider a more involved process compared to one that is simply adding a use to an existing building. Virtual meetings are strongly recommended as a component of the Plan for more significant development proposals being processed during the summer months.

Town Updates: Include a statement regarding how you will keep the Town updated on progress of implementing the Citizen Participation Plan. Typically, this would be an email following each planned meeting or presentation giving a brief summary of what occurred.

### Citizen Participation Report

Applicants shall provide a written report on the results of their citizen participation effort at least ten (10) Town business days prior to the first scheduled public hearing for the development. This report will be attached to the staff report.

At a minimum, the citizen participation report shall include the following information:

1. Details of techniques the applicant used to involve the public, including:
  - a. Dates and locations of all meetings (virtual or in person) where citizens were invited to discuss the applicant's proposal; and
  - b. Copies of all materials used to communicate to the contact list including content of notices, dates when material was provided, social media posts, and numbers of mailings, including letters, meeting notices, newsletters and other publications.
2. The number of people who participated in the process.

3. A summary of concerns, issues and problems expressed during the process, including:
  - a. The substance of the concerns, issues and problems;
  - b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process;
  - c. Concerns, issues and problems the applicant is unwilling or unable to address and why.

## [Example Citizen Participation Plan]

Citizen Participation Plan for Joe's Drive-thru Special Use Permit

Date:

Purpose: The purpose of this Citizen Participation Plan is to inform citizens, property owners, and nearby neighborhood associations of the special use permit application for a new restaurant with a drive-thru. This plan will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposal.

Applicant:

Joe Smith  
1232 E. Purple Lane  
Phoenix, Arizona 85500  
(602) 555-1212  
email: grayl2l@yellow.com

Location: The property being considered for this SUP is located at the northwest corner of A and B streets (see attached location map.)

Action Plan: In order to provide effective citizen participation in conjunction with this application, the following actions will be taken to provide opportunities to understand and address any real or perceived impacts of the development that members of the community may have.

1. A contact list will be developed for citizens and HOA's within 300' of the project location.
2. All persons listed on the contact list will receive a letter describing the project, project schedule, site plan and invitation to a series of two neighborhood meetings to be held at Pink Jr. High. The letter will also include access information for anyone wanting to attend the meetings virtually.
  - The first meeting will be an introduction to the project, and opportunity to ask questions and state concerns. A sign-in list will be used and comment forms provided. Copies of the sign-in list and any comments will be submitted with the Citizen Participation Report.
  - The second meeting will be held two weeks later and will include responses to questions and concerns of the first meeting. A sign-in list and comment cards will be provided to the Town with the Citizen Participation Report.
3. Presentations will be made to groups of citizens or neighborhood associations upon request. Copies of the sign-in list and any comments will be submitted with the Citizen Participation Report.
4. An email will be sent to the case planner following each of the scheduled meetings, and at any other time there is significant input, to inform the staff of the progress of implementing the Plan.

Schedule:

Mail letters by February 20, 2022

First neighborhood meeting March 15, 2022

Second neighborhood meeting (if necessary): April/May 2022

# [Citizen Participation Report Example]

## Citizen Participation Report for Joe's Drive-thru Special Use Permit

Case #:

Date of Report:

Overview: This report provides results of the implementation of the Citizen Participation Plan for Joe's Drive-thru. This site is located at northwest corner of A and B Streets. This report provides evidence that citizens, neighbors, and interested persons have had adequate opportunity to learn about and comment on the proposed plans and actions addressed in the application. Comments, sign-in lists, petitions, letters, summary sheets, and other materials are attached.

Contact:

Joe Smith  
1232 E. Purple Lane  
Phoenix, Arizona 85500  
(602) 555-1212  
Email: gray121@yellow.com

Neighborhood Meetings: The following are dates and locations of all meetings where citizens were invited to discuss the applicant's proposal [comments, sign in lists and other feedback are attached];

1. {Date} – Pink Jr. High, 7 P.M. to 8 P.M. - 45 citizens in attendance; 10 virtually
2. {Date} – Pink Jr. High, 7 P.M. to 7:30 P.M. – 13 citizens in attendance; 3 virtually

Correspondence and Telephone Calls:

1. 1<sup>st</sup> letters mailed to contact list (150) on {Date}, including all property owners and one HOA within 300'
2. 2<sup>nd</sup> letters mailed to contact list on {Date}
3. Project published in the "Fountain Hills Times" newspaper on {Date}
4. Established website and other social media accounts related to the project on {Date}
5. {Date} meet with adjacent neighbors X, Y, and Z on site to discuss the proposed development
7. {Date – Date} received and responded to 7 emails with questions and comments about the proposed development

Results:

There are 167 persons on the contact list as of the date of this Citizen Participation Report (see attached)

1. Summary of concerns, issues and problems:
  - Increased traffic in adjacent neighborhood
  - Increased noise

- Increase in trash
  - There are too many drive-thru restaurants in our Town, don't need any more
2. How concerns issues and problems were addressed:
- Traffic will be routed to arterials more directly to avoid impact to neighborhood
  - Speaker boxes will be oriented away from the adjacent neighborhood
  - Trash receptacle will be placed next to exit from drive thru lane
3. Concerns, issues and problems not addressed and why:
- Applicant has little control on trash after customers leave the property
  - Our market research shows a need for this drive-thru restaurant, it is our business model, will continue to request the SUP