

City of Topeka

Citizen Participation Process

This process is in addition to any State-mandated public notification procedures for Planning Commission and Governing Body public hearings. For example, all zonings require notifying property owners within 200' of the subject property, at least 20 days before the public hearing.

GOALS:

- To ensure all property owners, residents, businesses, and organizations potentially affected by a proposed land development have the opportunity to comment on and understand development proposals before the public hearing.
- To allow for ongoing communication between the developer and potentially affected citizens during the early stages of a land development process, and provide the developer with an opportunity to answer questions, gather comments, consider input, and resolve concerns before the Planning Commission or Governing Body public hearing.
- To provide guidelines and expectations to applicants and developers for gathering citizen input on their proposals.

Types of projects required to comply with these procedures: All land development applications requiring approval by the Governing Body; including re-zonings, Conditional Use Permits, Planned Unit Development Plans, major amendments to Planned Unit Development Plans, vacations, and major subdivision plats. Affordable housing tax credit projects that require re-zoning, are on land exempt from zoning, build additional units, or convert existing market-rate units are also required a NIM.

➤ *Minimum notification criteria for projects:*

- Properties < 3 acres should notify land owners within 300' and neighborhood organizations within ½ mile of the subject property. A neighborhood information meeting (NIM) is required.
- Properties 3 acres or > should notify land owners within 500' and neighborhood organizations within ½ mile of the subject property. A neighborhood information meeting (NIM) is required.

**The notification area for properties contiguous to the city limits should extend 1000'. These notification areas may be adjusted for certain actions (e.g. vacations) as determined at the discretion of the Planning Director.*

A neighborhood information meeting may be required, but is not intended for actions of a technical or administrative nature (e.g. minor re-zonings, minor PUD amendments, minor plats, site development plans, etc.) not deemed to impact land owners within or beyond the required notification area, as determined by the Planning Director.

Steps in the Citizen Participation Process:

1. **Pre-Application Meeting:** Planning Department staff informs the applicant of the citizen participation process requirements for the requested action and provides direction. The NIM may be held, and in some cases is encouraged, prior to the application submittal.
2. **Citizen Notices:** Applicants may submit information for notices before or at the time of application, but always after a pre-application meeting. The City will create the notice for the applicant prior to, or at the time of, application submittal. The applicant is responsible for mailing meeting notices to those identified, with a copy sent to the Planning Department and City Council representative.

A. Notice shall include:

- The requested action
- Neighborhood meeting time, date and place
- Contact information for owner or developer
- Subject property location and acreage
- Existing zoning
- City Comprehensive Plan designation
- Brief scope of the project
- City Council representative and district
- Date of Planning Commission hearing
- Information for citizens seeking to submit questions in advance, if unable to attend the meeting
- City staff planner contact information

B. Notice should be sent to all property owners in the identified notification area (300' or 500' radius). Planning Department staff will provide the applicant with a list of property owner mailing labels and the notice with a map of the notification area.

C. Notify City-registered neighborhood organizations and City Council representative within ½ mile of the subject property.

D. The applicant is not required to but may publish the notice in the newspaper or other media outlets. The Planning Dept will publish the notice on the City website.

3. Neighborhood Information Meeting:

A. The neighborhood information meeting may be held before or after submitting an application, but always after a pre-application meeting with planning staff. The

neighborhood information meeting date, location, and time should be confirmed with the Planning Department at the time of the application submittal. An ADA accessible location is required.

- B.** Meetings should be held within the neighborhood, desirably, no more than one mile from the property and at a public location accessible to all affected residents (e.g., schools, community centers, churches, public businesses, etc.). The meeting may be held on-site if it is practical and convenient for the public to do so. The applicant is responsible for scheduling the meeting location provided the location meets the above requirements. Staff will provide assistance in selecting a location at the pre-application meeting.
- C.** Meetings should be scheduled during early evening hours on weekdays (excluding Friday), and should not conflict with City Council or Planning Commission meetings.
- D.** The applicant should mail notices at least 15 days before the meeting.
- E.** The neighborhood meeting should be scheduled no fewer than 20 days before the Planning Commission or Governing Body public hearing, to give the applicant time to address concerns raised at the meeting.
- F.** The applicant/developer will facilitate the meeting, set-up the facility (i.e. information providing, information gathering/feedback; Q&A, etc.) and will provide all materials and equipment for meeting. The applicant is responsible for taking notes and attendance at the meeting. The applicant should be prepared to adjust their meeting format depending on the number of attendees.
- G.** City Planning staff will attend the meeting. The City planner will introduce the action requested, explain the process including the ways in which stakeholders may provide input, and will then turn the meeting over to the applicant for a short presentation and to respond to questions. The City planner will be available to answer direct code related questions. The City planner will not address questions concerning the staff recommendation.

4. Citizen Participation Report: This is the developer's report to the City. It must be submitted to City staff prior to the date the Planning Department mails out its recommendation to the Planning Commission. Staff will review this report and include it with the staff report that is mailed to the Planning Commission.

A. Report must shall include:

- Summary of neighborhood information meetings held, including date, location, meeting notices, sign-in sheets, number of attendees, and results of the meeting.
- Summary of citizen questions, concerns, input, issues, and problems expressed, and how these have been addressed, including any changes to the project. Include concerns the applicant is unable or unwilling to address.
- Copies of all comment letters, petitions, and other pertinent information received from residents and other parties.

- B.** Summary report must be signed and dated by applicant or their designated representative