



## Department of Planning and Zoning

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*A guide to conducting a*

### **Pre-Application Neighborhood Public Meeting**

Pre-application neighborhood public meetings are intended to provide an opportunity for:

- residents to become aware of new development projects proposed in their neighborhood at an early stage of its conceptual design;
- residents and applicants to meet and discuss proposed developments; and,
- the applicant to take into consideration neighborhood feedback on a proposed development.

This community dialogue takes place entirely outside of the formal public hearing process and well in advance of incurring major detailed design and engineering expenses. While feedback from the neighborhood is not binding on the applicant, an open and collaborative dialogue is expected. A clear understanding of the project and of potential issues and opportunities will benefit both applicant and neighbors alike during the application review process.

#### **1. What types of projects are required to hold a Pre-Application Neighborhood Public Meeting?**

The requirement to hold a Pre-Application Public Neighborhood Meeting applies to all projects subject to Major Impact Review under Sec. 3.5.2 (b) of the *Burlington Comprehensive Development Ordinance*:

1. *The construction of five (5) or more dwelling units or the creation through adaptive reuse, substantial rehabilitation or conversion of ten (10) or more dwelling units;*
2. *The creation of five (5) or more lots;*
3. *The construction or substantial rehabilitation of fifteen thousand (15,000) s.f. or more of gross floor area of non-residential development;*
4. *Land disturbance involving one acre or more;*
5. *Site improvements involving fifty (50) or more parking spaces;*
6. *Site improvements and land development (excluding single family homes or duplexes) on parcels that contain designated wetlands as regulated pursuant to Article 4, or natural areas of state or local significance as identified in the municipal development plan;*
7. *Site improvements and land development on parcels seeking a waiver under Article 5, Part 4, Sec. 5.4.9 – Brownfields; or*
8. *Multiple projects by the same applicant or responsible party within any consecutive twelve (12) month period on the same property or on a property within 1000 feet of the subject property that in the aggregate equal or exceed the above criteria.*

#### **2. At what point should these meeting occur?**

One or more neighborhood presentations of a proposed Major Impact project at a public meeting is **required prior to applying for a zoning permit** from the Dept. of Planning and Zoning.

In order to encourage a meaningful discussion for the neighbors but at limited expense to the applicant, the meeting should occur while the project is still at a conceptual design stage but sometime between 2-12 months prior to the anticipated filing an actual permit application for formal review by the City.

### 3. What is the best venue for holding such a meeting?

The preferred venue for a public neighborhood meeting is at a regular monthly meeting of the respective Neighborhood Planning Assembly (NPA). Every effort on the part of the applicant and the NPA should be taken to make this possible. The NPA Steering Committee should be contacted no less than 30 days prior the desired meeting date in order to get on the agenda.

Should the NPA's meeting schedule or agenda not permit timely consideration of the request (e.g. within 60 days), the NPA may choose to decline the opportunity to host the meeting. Within two weeks of receiving a request to host a pre-application neighborhood meeting, the NPA should inform the applicant in writing of the date and location of the next available NPA meeting or of the NPA's inability to accommodate the request.

In either event, all meetings must be held in a place accessible to the general public including those with disabilities.

### 4. How are neighbors notified of the meeting?

Regardless of the venue, written notice of the pre-application public neighborhood meeting should be provided by the project applicant:

1. At least 15 days in advance of the meeting; and,
2. via regular first class mail or direct distribution to all abutting property owners and occupants, or those within 400 feet of the project site whichever is greater. A list of address can be obtained from the Dept. of Planning and Zoning, but must be requested at least 7 days in advance of the date for the mailing.

The NPA is expected to assist the applicant in publicizing the meeting regardless of the location or venue of the meeting. In addition to the direct public notice sent by the applicant, the NPAs will also advertise the meeting through their regular notification networks (FPF, email list, the BUZZ, etc.).

### 5. What information about the proposal should be made available at the public neighborhood meeting?

The applicant should be prepared with the following basic information in order to give attendees a clear sense of what is being proposed and support a meaningful discussion:

1. A illustration depicting the layout and design of the proposed development including:
  - Conceptual site plans showing location of proposed buildings, roads, parking areas, landscaping, land uses and lot lines with approximate dimensions
  - Conceptual building design
  - A "development fact sheet" including the size of the proposed project, proposed land uses, number of dwelling units, density of the project, building heights, parking requirements, etc.
2. Information provided by the Dept. of Planning & Zoning explaining the City's formal development review process and how members of the public can participate should also be made available.

### 6. What submission materials will be required by the City at the time of application to document that the neighborhood meeting was held?

An affidavit or certification from the applicant of having held a public neighborhood meeting including: meeting date, time and location; list of attendees with contact information; NPA meeting minutes or meeting notes summarizing the discussion; and method and copy of public notice. (see attached example)

Email addresses provided on the public neighborhood meeting attendance list can be used by the Dept. of Planning & Zoning for future communications with interested neighbors once the project enters the City's development review process.

# SAMPLE

## Pre-Application Public Neighborhood Meeting Certification

I, \_\_\_\_\_, certify that that the Pre-Application Public Neighborhood Meeting requirement pursuant to Sec. 3.2.1(d) of the *Burlington Comprehensive Development Ordinance* has been satisfied in accordance with the procedures and requirements set forth by the Department of Planning and Zoning for a public neighborhood meeting held on \_\_\_\_\_ at \_\_\_\_\_.

A copy of the meeting date, time and location; list of attendees with contact information; NPA meeting minutes or meeting notes summarizing the discussion; and method and copy of public notice is attached and made a part of this Certification.

Signature: \_\_\_\_\_

STATE OF VERMONT

COUNTY OF \_\_\_\_\_

The above and foregoing Affidavit as subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_ personally by \_\_\_\_\_.

\_\_\_\_\_

NotaryPublic

Seal

My Commission expires: \_\_\_\_\_