

SDCI

DON

Director's Rule 4-2018

Director's Rule 1-2018

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| <b>Applicant:</b><br><br>City of Seattle<br>Department of Construction & Inspections<br>Department of Neighborhoods | <b>Page</b><br><br>1 of 9   | <b>Supersedes:</b><br><br>n/a         |
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| <b>Subject:</b><br><br>Early Community Outreach<br>for Design Review  | <b>Code and Section Reference:</b><br><br>Chapter 23.41 SMC           |                                       |
|   | <b>Type of Rule:</b><br><br>Code Interpretation and Procedures        |                                       |
|   | <b>Ordinance Authority:</b><br><br>SMC 3.06.040 & 3.35.040            |                                       |
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|   | (signature on file) _____ 6/12/18<br>Nathan Torgelson, Director, SDCI |                                       |
|   | <b>Approved</b>   | <b>Date</b>                           |
| (Signature on file) _____ 6/12/18<br>Andrés Mantilla, Interim Director, DON   |   |                                       |

**RULE AUTHORITY:**

Seattle Municipal Code subsections 23.41.014.B, 23.41.016.B, and 23.41.018.B.

**BACKGROUND:**

Seattle [Ordinance No. 125429](#) added requirements to [Chapter 23.41 SMC](#) that all projects going through Streamlined, Administrative, or Full Design Review shall conduct community outreach. Specifically, applicants shall prepare a community outreach plan and document compliance with the community outreach plan before the early design guidance (EDG) meeting can be scheduled.

The purpose of the community outreach plan (hereafter "plan") is to identify the outreach methods an applicant will use to establish a dialogue with nearby communities early in the development process in order to share information about the project, better understand the local context, and hear community interests and concerns related to the project. The plan shall include printed, electronic/digital, and in-person outreach methods.

The documentation of compliance with the outreach plan shall include a summary of the outreach completed, including a list and description of the outreach methods used, the dates associated with each outreach method, a summary of what the applicant heard from the community when conducting outreach, and materials to demonstrate that the outreach was conducted.

Subsections 23.41.014.B.4, 23.41.016.B.4, and 23.41.018.B.4 SMC authorize the Director of the Department of Construction and Inspections (SDCI) to adopt a rule establishing:

- 1) what constitutes a community outreach plan, and
- 2) how compliance shall be documented.

Applicants that are required to or elect to go through Streamlined, Administrative, or Full Design Review (Chapter 23.41 SMC) and who submit an application for Early Design Guidance (hereafter "EDG") on or after July 1, 2018 shall comply with this Rule. Applicants that have submitted an EDG application prior to July 1, 2018 are not required to comply with this Rule.

The procedures and requirements contained in this Rule will be evaluated after they have been in effect for one year, or as otherwise determined necessary or appropriate by SDCI and DON. The map in Appendix A will be evaluated and updated with new data every three years.

## **RULE:**

### I. General Standards for a Community Outreach Plan

- A. Overarching Goal. The purpose of these requirements is to ensure that applicants provide early notification to the local community that a project is being planned as well as opportunity for the local community to engage in a dialogue with the applicant about the project. While some outreach methods may serve both of these functions simultaneously, applicants should select a complementary set of outreach strategies so that a balanced approach to notification and opportunity for dialogue is achieved in all outreach plans. Further, the intent of this outreach is to be inclusive of interested parties to allow for a diversity of neighborhood perspectives to be heard.
- B. This early community outreach plan requirement is in addition to any requirements set out in Chapter 23.76 SMC, Chapter 23.60 SMC, and Chapter 25.05 SMC.

- C. Applicants shall submit their project address and contact information to DON before they begin their outreach. DON will post the project contact information in a publicly available location.
- D. Types of Outreach. Each outreach plan shall contain at least one of each of the three different types of outreach methods: printed, digital, and in-person, as detailed below in Section II.
- E. Equity Areas. Applicants for Design Review projects located in neighborhoods identified by this Rule as “Equity Areas” shall work with DON to customize their plan to the needs of historically underrepresented communities, as described below in Section V. Equity Areas are identified based on local demographic and socioeconomic characteristics from the US Census Bureau. Equity Areas are census tracts having a census-tract average greater than the city-as-a-whole average for at least two of the following characteristics:
  - 1. Limited English proficiency, identified as percentage of households that are linguistically isolated households.
  - 2. People of Color, identified as percentage of the population that is not non-Hispanic white; and
  - 3. Income, identified as percentage of population with income below 200% of poverty level.
- F. Conducting outreach. All outreach shall be conducted by the applicant or their representative no more than one year in advance of submitting their EDG application, unless otherwise approved by DON. The role of DON staff is to share information, provide feedback and guidance in developing culturally sensitive plans, and confirm completion of community outreach. DON and SDCI staff will not conduct any of the outreach activities. Applicants may conduct outreach at a City-sponsored event if approved by DON.
- G. Resources. DON and SDCI may provide resources to help applicants meet the overarching goals and requirements of this Rule, such as example outreach plans or tips for designing a survey. Any such resources are not intended to impose additional requirements beyond what is contained in this Rule.
- H. Definitions. For the purposes of this Rule, “community organizations” are defined as groups that have topical, geographic, or affinity relationship with the neighborhood, including business support organizations and cultural organizations. A community organization consists of more than a single individual and is committed to open engagement with community members.

**II. Outreach Methods for the Plan**

- A. For each of the three types of outreach set forth in I.D, above, an applicant shall choose a minimum of one high-impact method or two different multi-pronged methods, as set forth below. High-impact methods are those that are more likely to reach a large number of people directly and/or solicit more meaningful feedback on the project than multi-pronged methods.
  - 1. Printed outreach:

| High-Impact Methods   | Multi-Pronged Methods                      |
|---|--|
| a. Door-to-door fact sheet or flyer distributed to residences and | a. Ad or article in local print newsletter |

|  |  |
|--|--|
| <p>businesses within approximately 500 ft radius of the proposed site.</p> <p>b. Posters hung in a minimum of 10 local businesses, community centers, or other publicly-accessible venues, located within approximately a half mile from the proposed site. At least half of the posters must be visible from the sidewalk.</p> <p>c. Direct mailings to residences and businesses within approximately 500 ft radius of the proposed site</p> | <p>b. Sign(s) on site that are visible from the sidewalk</p> |
|--|--|

2. Electronic/digital outreach:

| High-Impact Methods   | Multi-Pronged Methods  |
|---|--|
| <p>a. Online survey</p> <p>b. Project hotline (information &amp; voicemail)</p> <p>c. Interactive project website (with public commenting function)</p> | <p>a. Basic project webpage</p> <p>b. Email to distribution list that includes community organizations identified by DON</p> <p>c. Post on local blog or in digital newsletter that includes information on how to submit comments directly to the project applicant</p> |

3. In-person outreach:

| High-Impact Methods   | Multi-Pronged Methods   |
|---|---|
| <p>a. Focus group open to representatives of community organizations identified by DON</p> <p>b. Guided tour or site walk</p> <p>c. Hosting or co-hosting a community meeting (at least one hour of presentation/discussion of project)</p> | <p>a. Drop-in hours at business, community center, or other venue near site</p> <p>b. Staffed "Pop-Up" event near site</p> <p>c. Table at community event or festival</p> <p>d. Presentation at an established community organization's meeting (at least 20 minutes on agenda)<sup>1</sup></p> <p>e. Door-to-door visits/canvassing to residences and businesses within approximately 500 ft radius of the proposed site</p> |

<sup>1</sup> Affordable housing projects funded through the Office of Housing may use this outreach method as a "high-impact" method because they are required to complete additional and on-going in-person community outreach as a component of their funding.

- B. Other methods of written, digital, or in-person outreach may be approved by DON where the other methods would achieve the goals associated with the plan.

### III. Requirements for Each Type of Outreach

All outreach conducted shall meet the following standards:

- A. All printed outreach materials shall:
  - 1. Include a brief summary of the proposal;
  - 2. Include the address of the project/property and the SDCI project number, if available;
  - 3. Identify a contact person for the project;
  - 4. Provide an email address, survey link, phone number, or alternate way of providing feedback on the project directly to the applicant;
  - 5. Include where any additional information about the project can be found (such as the Seattle Services Portal); and
  - 6. Include a statement informing the public that any information collected may be made public.
- B. All electronic/digital outreach materials shall:
  - 1. Include a brief summary of the proposal;
  - 2. Include the address of the project/property and the SDCI project number, if available;
  - 3. Identify a contact person for the project;
  - 4. Provide an email address, survey link, phone number, or alternate way of providing feedback on the project directly to the applicant;
  - 5. Include where any additional information about the project can be found (such as the Seattle Services Portal);
  - 6. Be publicized using at least one printed outreach method (except that emails to distribution lists do not need to be publicized);
  - 7. Be publicly available for a minimum of 21 days; and
  - 8. Include a statement informing the public that any information collected may be made public.
- C. All in-person outreach events, except door-to-door visits/canvassing, shall:
  - 1. Be open to:
    - a. The general public and publicized by the applicant using at least one electronic/digital outreach method and one printed outreach method listed in Section II, above, and submitted to DON's Early Outreach for Design Review Calendar at least seven days in advance; or
    - b. Representatives of community organizations.
  - 2. Be publicized at least 14 days in advance, if a high-impact method, and seven days in advance if a multi-pronged method
  - 3. Include materials indicating:

- a. The address of the project/property and the SDCI project number, if available;
  - b. A basic site plan or aerial image;
  - c. The general program/uses allowed or envisioned; and
  - d. The generalized zoning;
4. Inform the public that any information collected may be made public.

#### IV. City Feedback on Outreach Plans

- A. Required feedback from DON. Applicants for Design Review projects located in neighborhoods identified by this Rule as "Equity Areas" shall work with DON to customize their community outreach plan, as described below in Section V.
- B. Voluntary feedback from City. Applicants may, at their discretion, share their plans with DON and SDCI staff in advance of conducting outreach.
  1. SDCI staff may provide feedback on the relationship of the plan to the Design Review process at the pre-submittal conference.
  2. DON staff may provide up to one hour of consultation on:
    - a. Strategies projects located outside of an Equity Area may use to customize outreach to historically underrepresented communities;
    - b. Outreach methods not listed in Section II, above; or
    - c. Completeness of plan with respect to the requirements in this Rule.

#### V. Additional Requirements for Outreach Plans for Projects Located in "Equity Areas"

- A. Applicants for a project located in an Equity Area for Design Review shall work with DON staff to prepare an outreach plan that is customized to the needs of historically underrepresented communities within the local population and includes outreach practices that are culturally sensitive, responsive, and acknowledge and address barriers to participation. The type of outreach and the number of outreach methods required shall be as described above in Sections I, II, and III.
- B. Feedback required from DON
  1. Applicants in Equity Areas shall share their community outreach plans with DON staff. Staff will review the plan and may recommend modifications to proposed outreach methods or alternate outreach methods better suited to reach underrepresented groups near the project site. This may include translation of materials, contacting ethnic media, or other strategies to address barriers to participation.
  2. In some instances, staff may be able to connect applicants with formal/informal leaders of underrepresented communities, or other useful contacts or resources for conducting outreach.
  3. Timing of feedback. Applicants are encouraged, but not required, to submit plans to DON staff in advance of conducting any outreach. Applicants that begin outreach before obtaining DON feedback run the risk of having to duplicate outreach efforts or provide additional outreach methods in order to respond to feedback from DON staff.

## VI. Documentation

### A. Forms of Documentation

1. Applicants shall submit documentation to DON to demonstrate that they carried out a community outreach plan. The documentation shall include:
    - a. A brief summary of the community outreach plan, including a list and brief description of the outreach types and methods used and the dates that each outreach method was conducted;
    - b. A brief summary of what the applicant heard from the community when conducting outreach; and
    - c. Sufficient materials to demonstrate that each outreach method was conducted.
  2. For printed outreach methods, documentation materials shall include:
    - a. Copy of mailed document(s) and address list;
    - b. Copy of newsletter or flyer and distribution area or route; or
    - c. Photos of signs or posters and locations of postings.
  3. For electronic/digital outreach, documentation materials shall include:
    - a. Copy of (and hyperlink to) blog post, digital newsletter, online survey, or project webpage and how people were informed or directed to these resources; or
    - b. Copy of email(s) sent and distribution list for email(s).
  4. For in-person outreach, documentation materials shall include:
    - a. Copy of sign-in sheet, agenda, or applicant notes from meeting/event; or
    - b. Copy of door-to-door visits/canvassing area or route.
  5. DON staff may request any other materials necessary to demonstrate that the applicant conducted the required outreach.
- B. Submittal. Applicants shall submit the required documentation to DON staff. In order to avoid unnecessary delays, applicants are encouraged, but not required, to submit their documentation to DON before submitting their EDG application to SDCI. Submissions may be made by email, in person, or by mail and should clearly indicate the SDCI project number, if available, and the address of the project/property. Applicants are encouraged, but not required, to keep project webpages and other types of digital outreach available through the Design Review process. Any online resources that remain available after the documentation is submitted should direct the public to submit any additional comments to SDCI.
- C. Confirmation. DON staff will review documentation and provide SDCI and the applicant with final confirmation that outreach has been completed. In limited instances where DON staff finds that the outreach conducted fulfills the overarching goal of the Rule, as stated in Section I.A, failure to provide individual notification to any particular person or business shall not, on its own, constitute noncompliance with the plan. Once compliance with the plan has been confirmed by DON staff and documentation has been provided to SDCI, SDCI staff may proceed to scheduling the EDG meeting or, for projects going through Streamlined or Administrative Design Review, begin the EDG review.

All documentation will be posted under the application number in a publicly available location.

- D. Enforcement. Any documentation that is identified by DON staff as having misrepresented the types or dates of outreach that occurred shall be corrected and resubmitted to DON by the applicant and reconfirmed by DON. In instances where DON has already provided SDCI with final confirmation that outreach has been completed, DON will notify SDCI in writing, the review of the EDG application will stop, and any scheduled EDG meeting will be canceled. The review of the EDG application and scheduling of an EDG meeting will continue after sufficient documentation has been resubmitted to DON by the applicant and verified by DON, and SDCI has received confirmation of that from DON.
- E. Early Design Guidance. Applicants shall include a summary of the design-related feedback they heard during their community outreach as part of their final EDG packet. While a collaborative approach is encouraged between the applicant and the community, the applicant is not required to incorporate any specific community feedback into the project's design. Comments and discussion presented at the Design Review meetings should focus on compliance with the established design guidelines. Applicants may, at their discretion, respond directly to the community about any feedback that is not related to Design Review.
- F. Retention of Public Records. All outreach materials and information sent or gathered as part of this Rule are public records subject to the Washington Public Records Act, and may be subject to disclosure to a third-party requestor. Applicants should follow best practices for managing the data collected during public engagement, as provided by the City of Seattle. All relevant records should be retained and must be provided to City of Seattle if requested to fulfill a records request.



### Map of Equity Areas for Design Review

This map is intended to identify the census tracts where the additional requirements for customized early outreach, described above, apply.

