



Requesting Department:
Development Services

TO: Planning and Zoning Commission

THRU: Brett Burningham, Development Services Director

FROM: Erik Swanson, Planning Administrator
Laney Corey, Planning Intern

RE: Public Hearing and Possible Action on P22-0034 Public Notification Process Zoning Ordinance Text Amendment, a staff initiated text amendment to the Zoning Ordinance recommending modifications to the public hearing sign posting process.

DATE: March 9, 2022

STAFF RECOMMENDATION

The request is for a staff initiated text amendment to the Zoning Ordinance recommending modifications to the public hearing sign posting process. Staff recommends approval of P22-0034 Public Notification Process Zoning Ordinance Text Amendment.

PROPOSED MOTION

Move to recommend approval of P22-0034 Public Notification Process Zoning Ordinance Text Amendment.

RELEVANT COUNCIL GOAL



DISCUSSION

The Zoning Ordinance requires that any zoning related applications that are reviewed and approved by the Town Council be posted with a public hearing sign. As a part of the public notification procedures, signage outlining the nature of the request and applicable hearing dates is to be legibly posted at the development site. Staff is currently responsible for coordinating all matters related to public hearing sign postings. Through this text amendment, Staff is proposing a minor modification to this standard which reappoints this responsibility to applicants.

In addition to assessing and invoicing associated fees, staff is responsible for coordinating the sign posting with the vendor. This coordination involves writing and outlining the sign's content, determining location and placement, as well as ensuring signs are posted at least fifteen (15) days prior to the public

meeting. The Town currently works with one sign vendor to have all public hearing signs posted. Following the posting of the site, the applicants are then invoiced a flat fee. The proposed request would allow the applicant flexibility to use their preferred vendor, eliminating the need for additional invoicing.

It is important to note that applicants are currently responsible for posting signage for neighborhood meetings. The purpose of this request is to update public hearing notification standards to be consistent with the neighborhood meeting sign posting requirements that are currently in place. Additionally, this proposed amendment is consistent with the practice of other municipalities around the valley. As part of the review, staff reached out to adjacent communities of Apache Junction, Chandler, Gilbert, and Mesa, and all four municipalities have the applicant responsible for posting the site with the public hearing schedule.

To maintain consistency, the applicant will prepare sign content which will be approved by the Planning Administrator prior to the site posting. Additionally, applicants will be required to submit a photograph and notarized affidavit to Staff, verifying that the signage was posted a minimum of fifteen (15) days prior to the public meeting.

ATTACHMENTS

1. Zoning Ordinance - Redlines

ARTICLE 3 – ZONING PROCEDURES

- c. *Mail Notification.* Mailing a notice by First Class Mail shall be provided by the applicant not less than fifteen (15) calendar days prior to the date of the Neighborhood Meeting to all property owners of record, and property management associations, homeowners associations, and any neighborhood associations on record with the Town at a distance determined in **Table 3.1-1**.
- d. *Site Posting.*
- 1) The development site shall be posted by the applicant with at least one (1) sign having a minimum sign area of sixteen (16) square feet with black copy/lettering on a white background, not less than fifteen (15) calendar days prior to the public meeting. Such signs shall be clearly legible and wherever possible, placed adjacent to the right of way of a public street.
 - 2) Sites that exceed five (5) acres in size and / or have frontage on more than one (1) street shall post a sign having a minimum sign area of sixteen (16) square feet with black copy/lettering on a white background, not less than fifteen (15) calendar days prior to the public meeting. Additional signs at the rate of one (1) additional sign per every ten (10) additional acres, or one (1) sign for each street with a maximum of four (4) signs per project. Such signs shall be clearly legible and wherever possible, placed adjacent to the right of way of a public street.
 - 3) The site posting shall contain the date, time, and location of the neighborhood meeting, a summary of the request, and shall also have contact information for the applicant's representative.
 - 4) It shall be the responsibility of the applicant to use reasonable efforts to maintain the sign once it has been placed on the property and remove the sign after the neighborhood meeting has been completed.
- e. The applicant shall arrange for the facilities and bear all costs associated with the meetings, including all required notifications and sign postings.
- f. The Planning Administrator or appropriate planning staff shall be required to attend the neighborhood meeting.
- g. Neighborhood Meetings may be held at the Town hall or a location near or on the development site and shall be in a publicly accessible place within the corporate limits of the Town of Queen Creek. The meeting shall be held on a weekday evening or weekend day at a reasonable time to ensure the majority of residents can attend the meeting; and.
- h. A meeting summary shall be submitted to the Development Services Department not less than fifteen (15) calendar days prior to the Planning Commission Meeting with a copy of the mailing labels showing who was notified and written summary of the issues and discussion from the meeting and a list of attendees.
2. *Public Notification.* The purpose of public notification is to encourage and enhance citizen participation in the development process and provide an opportunity to give public inputs. Requirements for the notice of the public meetings for Rezoning's, Conditional Use Permits, Variances and other Board of Adjustment cases as determined by the Planning Administrator are as follow:
- a. *Mail Notification.* Staff shall mail a notice by First Class Mail not less than fifteen (15) calendar days prior to the scheduled Commission Meeting to all the necessary and required parties such as:
- 1) All property owners of record obtained from Maricopa County or Pinal County Assessor's Office, as appropriate, chairpersons and management association of

ARTICLE 3 – ZONING PROCEDURES

homeowners associations, and any neighborhood associations on record with the Town at a distance and type of notifications requirements mentioned in Table 3.1-1.

b. *Site Posting.*

- 1) The development site shall be posted by the applicant with at least one (1) sign having a minimum sign area of sixteen (16) square feet with a black copy on a white background, not less than fifteen (15) calendar days prior to the public meeting. Such signs shall be clearly legible and wherever possible, placed adjacent to the right of way of a public street.
- 2) Sites that exceed five (5) acres in size and / or have frontage on more than one (1) street shall post a sign having a minimum sign area of sixteen (16) square feet with a black copy on a white background, not less than fifteen (15) calendar days prior to the public meeting. Additional signs at the rate of one (1) additional sign per every ten (10) additional acres, or one (1) sign for each street with a maximum of four (4) signs per project. Such signs shall be clearly legible and wherever possible, placed adjacent to the right of way of a public street.
- 3) The site posting shall contain the date, time, and location of all applicable meetings, a summary of the request, and shall also have contact information for the applicant's representative.
- 4) It shall be the responsibility of the applicant to use reasonable efforts to maintain the sign once it has been placed on the property and remove the sign once the application is completed or approved or after the council hearing.
- 5) The applicant shall arrange for the facilities and bear all costs associated with the meetings,

including all required notifications and sign postings.

- 6) The applicant shall submit a photograph of the sign, and a notarized affidavit of notification; said affidavit shall be in a form prescribed by the Town of Queen Creek.

c. *Newspaper Advertisement.*

- 1) Staff shall publish a public notice in a display ad covering not less than one-eighth (1/8) of the full page in an official local newspaper of general circulation in the Town of Queen Creek (as determined by the Planning Administrator or his or her designee), no less than fifteen (15) days prior to the date of each meeting.
- 2) The public notice shall include a description of the request, the general location of the request and the date, time, and place of the hearing. The Planning Administrator or his or her designee shall provide the wording for the required newspaper advertisement to the applicant.