



Legislation Text

File #: 20-081, **Version:** 1

TO: Chair and Planning Commission

FROM: Jeremy Knapp, Community Development Director
Paul Michaud, Planning Manager
George Burton, Senior Planner

DATE: February 18, 2020

DEPARTMENT: Community Development

AGENDA TITLE:
Discussion of Noticing for Application Requests

BACKGROUND

The Planning Commission identified several policy and/or code change items for the Town Council Retreat held on January 30, 2020. One of the items Town Council asked staff to bring forward to them in March 2020 are suggestions to improve the planning process applicant interaction and public outreach. As such, Town Council directed staff to have the Planning Commission discuss and provide feedback on the Town's noticing policies and requirements. The Town's noticing policies are set for Planning Commission discussion at the work sessions of February 18, 2020; March 2, 2020; and tentatively March 17, 2020.

Noticing of the Town's planning applications come from the Arizona Revised Statutes, Town Code/Zoning Ordinance, and policy direction from the Town Council, Town Manager, and/or Community Development Director. Historically, the Town has and still exceeds the minimum noticing requirements in the Arizona Revised Statutes. Most of the Town's planning application types have no noticing requirements by Arizona Revised Statutes. Attachment A includes relevant statutes on noticing for planning applications. Due to time constraints, staff provided the exact statute excerpt language instead of summarizing this information. The Town Code/Zoning Ordinance provides a few specific noticing provisions, some of which are the same requirements as in the Arizona Revised Statutes. Attachment B includes a summary of the noticing requirements in the Town Code/Zoning Ordinance.

To aid in this discussion attached are the current and past Town staff documents on noticing used by the Town's Planning Division. The Planning Division last updated the current document on November 19, 2019 to reflect the recent code changes regarding the platting process. The November 2019 noticing document is similar to the attached February 6, 2017 noticing document that modified most of the application noticing from 500' radius and 1,000' radius to a 1,500' radius of the subject site. The impetus for the 1,500' radius on most planning applications came from a 2016 discussion during several applications being processed at that time. Attachment C includes the current Town

staff document for noticing on various planning division applications. Attachment D includes prior Town staff documents for noticing.

Town staff is in the process of collecting information that other communities do for noticing. In particular, Town staff is looking for the notice radius by application type, how the community notices adjoining jurisdictions, and information on the notification signs (e.g. size, height, if the applicant or staff prepares/installs). Some of this information is available online, typically on individual application forms. While, many of the nuances and how the other community process relates to Paradise Valley requires discussion with staff in those communities. From the research to date, nearby communities require the applicant to hold at least one neighborhood meeting during pre-application or after formal application submittal for major planning applications (e.g. Planned Area Development, Rezoning; General Plan Amendment); their signs are much larger and taller than the notification signs in Paradise Valley; their notification radius is typically half or more than half the 1,500' noticing radius for Paradise Valley; and it appears these communities give notice to property owners outside their community if such properties are within the notice radius. Staff will collect what we can, but the Planning Commission will want to put more emphasis on what noticing works best for Town residents.

The Planning Commission will want to keep in mind that noticing provisions in the Arizona Revised Statutes cannot be modified by the Town Council or Planning Commission. The noticing provisions in the Town Code require Town Council approval at a public hearing to amend. The noticing provisions in the Town Zoning Ordinance require Planning Commission recommendation to the Town Council and Town Council approval at a public hearing to amend. More stringent noticing requirements on applications covered in the Arizona Revised Statutes, Town Code, or Zoning Ordinance have occurred by Town policy; as well as establishing noticing provisions for other planning applications not addressed in the three above-noted documents. The noticing for most applications are by policy and can be modified relatively quickly.

ATTACHMENTS:

- A. Arizona Revised Statute Noticing
- B. Town Code/Zoning Ordinance Noticing
- C. Town Staff Noticing Document
- D. Prior Town Staff Noticing Documents
- E. Other Community Noticing