



**Chandler · Arizona**  
*Where Values Make The Difference*

**MEMORANDUM                      Planning and Development – CC Memo No. 04-258**

**DATE:**                      DECEMBER 1, 2004

**TO:**                              MAYOR AND CITY COUNCIL

**THRU:**                      W. MARK PENTZ, CITY MANAGER  
                                    DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR  
                                    JEFF KURTZ, CURRENT PLANNING MANAGER  
                                    BOB WEWORSKI, PRINCIPAL PLANNER

**FROM:**                      JOSHUA COOK, PLANNER I

**SUBJECT:**                  **ZCA04-0002 EXPANDED NOTIFICATION REQUIREMENTS**  
                                    Introduction of Ordinance No. 3640

Request:                      Approval to amend the Zoning Code to require a six hundred (600) foot notification area for public hearings, Area Plans and Preliminary Development Plans increased from three hundred (300) feet. Further, notices would be mailed to Registered Neighborhood Organizations within one-quarter (¼) mile of the subject property. Additionally, Staff is adding two definitions, one for Area Plans, and one for Registered Neighborhood Organizations.

**RECOMMENDATION**

Staff has prepared an amendment to the City Zoning Code, expanding the notification requirements for Zoning cases, Area Plans, and Preliminary Development Plans. Planning Commission and Staff recommend approval of the text amendment as set forth in the attached (Exhibit “A”, draft text).

**BACKGROUND**

It is staff’s recommendation that current notification requirements could be bolstered and that additional steps could be added to the development review process to involve more people within the community. Additionally, as some development review actions currently require no public notification, such as Preliminary Development Plans, staff’s belief is that public input and greater involvement in these cases may help create and provide better development projects. Therefore, staff initiated a Zoning Code amendment to expand the area that will receive notification of public hearings to help increase public awareness and participation in the planning process.

The proposed changes would affect five (5) sections of the Zoning Code including Article II Section 35-200 (Definitions), Article XVII Section 35-1705 (Preliminary Development Plan required), Article XXVI (Amendments) Section 35-2601.1(A)(C), and (D), (Citizen Review Process) and Section 35-2602(2) (Public Hearing).

Specifically, staff proposes requiring notification for Preliminary Development Plans and increasing the notification area for any zoning action requiring a public hearing (i.e. Rezoning, and Use Permits), and for Area Plans from three hundred (300) feet to six hundred (600) feet. Additionally, notices would be mailed to Registered Neighborhood Organizations within one-quarter (1/4) mile of the subject property. Further, Staff has added two definitions to the Zoning Code, to specifically define Area Plan, and what is considered to be a Registered Neighborhood Organization.

**PUBLIC NOTICE**

As required by State Statutes, Staff has advertised this item together with the draft text as an eighth (1/8<sup>th</sup>) page display ad in the newspaper. Staff has also sent notice and a copy of the draft text to our developer clientele, commercial leasing agents, and land use attorneys.

**RECOMMENDATION**

Planning Commission and Staff recommend approval of the draft text as set forth in the attached.

**PLANNING COMMISSION VOTE REPORT**

Motion to approve:

In favor: 6    Opposed: 0    Absent: 1 (Ryan)

**PROPOSED MOTION**

Motion to introduce and tentatively adopt Ordinance No. 3640, **ZCA04-0002 EXPANDED NOTIFICATION REQUIREMENTS**, amending the Zoning Code to expand the notification requirements as recommended by Planning Commission and Staff.

**Attachments**

1. Ordinance No. 3640