

ATTACHMENT 1

Sec. 3.2.3, Public Hearing Notice

Purpose: The purpose of these amendments is to 1) correct typos; 2) include removal or “delisting” of a contributing resource as an application type; 3) remove the requirement for newspaper publication of a demolition request within the Old Town Bluffton Historic District as it is not required by State law and property posting is already required; and, 4) removing the requirement that public notice be published on the Town’s website and posted at Town Hall as neither is required by state law—the meeting agendas are posted at Town Hall and also appear on the Town’s website together with related staff reports.

Sec. 3.2.3, Public Hearing Notice

Specific applications are subject to public hearing notice requirements as set forth in this Section. Upon acceptance of an application that requires a public hearing, the UDO Administrator shall fix a reasonable date and time for the public hearing. Notice of public hearing requirements are as follows:

- A. **Timing of Public Hearing Notice Requirements.** Public notice as set forth in this Section shall be provided not less than the following number of calendar days prior to the public hearing:

Application Type	Newspaper Posting	Posting of Property	Certified Mailing to Surrounding Property Owners
Comprehensive Plan Amendment ¹	30	-	-
Zoning Map Amendment ¹	15	15	15
UDO Text Amendment ¹	15	-	-
Special Exception ²	15	15	15
Variance ²	15	15	15
Planned Unit Development (PUD) – Concept Plan ¹	15	-	-
Street Renaming ³	15	-	15
Certificate of Appropriateness – Historic District Demolition ⁴	15	15	-
Designation <u>or Delisting</u> of a Contributing Resource ⁴	15	15	-

¹ A Public Hearing shall be held by both Planning Commission and Town Council.

² A Public Hearing shall be held by the Board of Zoning Appeals.

³ A Public Hearing shall be held by the Planning Commission.

⁴ A Public Hearing shall be held by the Historic Preservation Commission.

- B. **Newspaper Posting.** When required, the UDO Administrator shall cause notice of the public hearing to be published in a newspaper of general circulation in the Town not less than the number of days prior to the public hearing as specified in the preceding table. Notices shall also be electronically published on the Town of Bluffton website, posted at Town Hall, and distributed either in hardcopy or electronically to any person, agency, or organization registered to receive such notifications.

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- B. **Posting of Property.** When required, the UDO Administrator shall cause a conspicuous notice of public hearing sign to be posted not less than the number of days prior to the public hearing as specified in the preceding table on or adjacent to the subject property, with at least one such notice being visible from each public thoroughfare that abuts the property. If the subject property does not abut a public thoroughfare, such sign shall be posted on the public thoroughfare from which the subject property is accessed. All signs shall be removed by the Town within 30 days of conducting the public hearing.
- D. **Certified Mailing to Surrounding Property Owners.** To help assure surrounding property owners are provided adequate public notice of a public hearing on an application, surrounding property owners shall be notified as follows:
1. The Applicant shall send notice of the public hearing by certified US mail not less than the number of days prior to the public hearing as specified in the preceding table to all owners of real property within 250 feet of the subject property. The UDO Administrator shall provide the applicant with the names and addresses of the surrounding property who are to **received** mailed notice, and shall provide the applicant with a sample public hearing notification letter. The Applicant shall submit the original Certified Mailing receipts for the mailed notices to the UDO Administrator not less than seven (7) days prior to the public hearing.
- E. **Public Notice Compliance.** Failure to comply with the public notice requirements shall result in the removal of an application from the public hearing meeting agenda. Any rescheduled public hearing on an application shall be subject to subsequent compliance with all public notice requirements.