



Agenda Abstract

PLANNING BOARD

Meeting Date: July 18, 2024
Department: Planning and Economic Development Division
Agenda Section: 6D
Public hearing: Yes
Date of public hearing: August 15, 2024 (tentative)

PRESENTER/INFORMATION CONTACT

Tom King, Senior Planner: (919) 296-9475; tom.king@hillsboroughnc.gov
Molly Boyle, Planner II: (919) 296-9473; molly.boyle@hillsboroughnc.gov

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance (UDO) text amendment (staff initiated): Section 3, *Administrative Procedures*, Subsection 3.8, *Special Use Permit*, Paragraph 3.8.11, *Notice of Evidentiary Hearing*

Attachments:

1. Section 3, Subsection 3.8, Paragraph 3.8.11 with proposed amendments & clean version

Summary:

NCGS section 160D-406, *Quasi-judicial Procedure*, paragraph (b) *Notice of Hearing*, requires notice of evidentiary hearings be mailed to the applicant, owner of property subject to the hearing if not the applicant, owners of abutting property & other persons entitled to be notified by local ordinance. Notice must be mailed at least 10 but not more than 25 days prior to the hearing date. Notice must also be posted on the subject property or an adjacent street right-of-way within the same timeframe as the mailed notice.

UDO paragraph 3.8.11 requires (i) newspaper notice, (ii) mailed notice to property owners within 500 feet of property subject to a special use permit application & (iii) posted notice. The newspaper notice must be provided once a week for two consecutive calendar weeks in a newspaper of general circulation in the county & published within the same timeframe specified in NCGS 160D-406. Notice of town meetings are also provided as a courtesy via the town website.

The proposed amendment removes the newspaper notice requirement. Staff believes this amendment removes a form of notice that is likely the least effective of the three currently prescribed by the UDO.

Comprehensive Sustainability Plan goals:

- Town Government & Public Services Goal 1: Conduct town government operations in a transparent & responsible manner.
 - Strategy: Deliver town services equitably, efficiently & effectively.
 - Implementation Action: Use equitable & effective strategies to engage with the public.

Financial impacts:

Reduction in advertising costs that may be passed on to applicants via application fee reductions.

Staff recommendation: Refer amendment to August 15, 2024, joint public hearing.

Action requested: Refer amendment to August 15, 2024, joint public hearing.