



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date: October 17, 2024
Department: Community Services
Agenda Section: 5C
Public hearing: Yes
Date of public hearing: October 17, 2024

PRESENTER/INFORMATION CONTACT

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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 may be passed on to applicants via reduced application fees.

Staff recommendation: Hold the public hearing

Action requested: Hold the public hearing. After the public hearing closes, the Planning Board may make its recommendation or wait until its next meeting on November 21, 2024.