



Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: August 8, 2022

City Council Public Hearing Date: August 15, 2022

Case: P22-266

Section(s): 50-33 (*Board of Adjustments*) & 50-34 (*Amendments to Zoning Chapter and Districts, Administrative Procedures*)

Subject: Increase Notification Area for Public Hearing(s)

BACKGROUND

The City of Tomball Code of Ordinance currently requires the City to notify all owners of properties within 200-feet of properties which are subject to a zone change request or request that is to be considered by the Board of Adjustment. This proposed amendment will increase the notification area to require the City of Tomball to notify all owners of properties within 300 feet. City Council requested this amendment in efforts to reach more people in the immediate area of where public hearing requests and possible changes to our City guiding documents, giving them an opportunity for their voice to be heard.

NOTICE OF PUBLIC HEARING:

A public hearing notice was published in the Potpourri on July 27, 2022.

PROPOSED ORDINANCE AMENDMENT(s):

Code of Ordinance Section(s):

50-33:

REMOVE:

(i) Procedures

~~(3) Notice and public hearing. The board of adjustments shall hold a public hearing for consideration of the variance or special exception request no later than 60 calendar days after the date the application for action, or an appeal, is filed. Notice shall be published in the official local newspaper before the 15th calendar day prior to the public hearing. Written notice of the public hearing for a variance or exception shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within 200 feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail.~~

ADD:

(i) Procedures.

(3) Notice and public hearing. The board of adjustments shall hold a public hearing for consideration of the variance or special exception request no later than 60 calendar days after the date the application for action, or an appeal, is filed. Notice shall be published in the official local newspaper before the 15th calendar day prior to the public hearing. Written notice of the public hearing for a variance or exception shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within **300** feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail.

50-34

REMOVE:

~~**(c) Notice of public hearing.**~~

~~———— **(1) Public hearing for zoning changes involving real property.**~~

~~**(c) Written notice of the public hearing before the planning and zoning commission shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within 200 feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail. If written notice as required is not sent before the tenth calendar day prior to the date of the hearing, then the hearing must be delayed until this notice requirement is met.**~~

ADD:

(c) Notice of public hearing.

~~———— **(1) Public hearing for zoning changes involving real property.**~~

(c) Written notice of the public hearing before the planning and zoning commission shall also be sent to all owners of property, as indicated by the most recently approved city tax roll, that is located within the area of application and within **300 feet of any property affected thereby, said written notice to be sent before the tenth calendar day prior to the date such hearing is held. Such notice shall be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, postage paid, in the regular United States mail. If written notice as required is not sent before the tenth calendar day prior to the date of the hearing, then the hearing must be delayed until this notice requirement is met.**