



DATE: September 18th, 2018

CASE: TA-05-18 – Good Neighbor Notice

PREPARED BY: Kevin Ashley, AICP - Planning and Development Manager
Julian Burton, AICP – Development Review Administrator

SUMMARY

Article 3 of the Concord Development Ordinance regulates zoning amendments and hearing procedures and Section 3.2.3 requires that the petitioner conduct a neighborhood meeting for any zoning amendments which increase density or intensity. Before holding the neighborhood meeting, the petitioner is required to provide notice to all adjacent property owners.

Staff has identified an opportunity to promote additional public input into the rezoning process, and to better ensure that impacted residents are aware of a rezoning request. The amendment is also a result of feedback from neighborhoods who have requested ways to be involved in the zoning process in the earlier stages. We have found that the zoning process is much smoother when organized neighborhoods are involved early in the process.

The proposed amendment to Section 3.2.3 requires that a petitioner also send notice of a neighborhood meeting to neighborhood organizations and homeowner’s associations with boundaries located within one-half mile of any part of the zoning change, within ten (10) days of filing the petition. At the time of filing the petition, the staff will inform the petitioner of the presence of both recognized neighborhood associations and if they can be identified, homeowner’s associations.

3.2.2 NOTICE REQUIREMENTS

Notice shall be given in accordance with Section 1.6 of this Ordinance.

3.2.3 FORMALLY RECOGNIZED NEIGHBORHOOD ORGANIZATION NOTICE AND NEIGHBORHOOD MEETING REQUIREMENTS

~~The petitioner shall conduct a neighborhood meeting with all adjacent property owners, for all proposed zoning amendments which increase density or intensity. The staff shall inform the petitioners of the neighborhood meeting requirement at the pre-application meeting. In lieu of the meeting, the petitioner may notice all adjacent property owners by letter, delivered by certified mail at least twenty (20) days prior to the hearing date. The letter shall provide an overview of the zoning request and shall include the petitioner's contact information. Proof of the neighborhood meeting or the notification by certified letter shall be provided to the Planning Department no later than ten (10) days prior to the public hearing. When notice is given by mail, and persons representing ten percent or more of the entities noticed in accordance with 3.2.2 and 1.6 appear at the hearing in opposition to the petition, the Planning and Zoning Commission may table the matter and require the applicant to conduct the neighborhood meeting.~~

A. The petitioner shall notify 1) any neighborhood organization formally recognized by the City of Concord and 2) any homeowner's association identified by the City, whose boundary is located within one-half (1/2) mile of any part of the boundary of the proposed zoning change. Such measurement shall exclude any intervening street or public right-of-way. At the time of filing the petition, the Planning staff shall provide the contact information for the formally recognized neighborhood and shall assist the petitioner in identifying other applicable homeowner's associations.

The petitioner shall send notice to the organization and/or association by first class mail within ten (10) days of filing the petition and the notice shall include at a minimum, a summary of the request including the anticipated hearing date, the site plan filed with the rezoning (if applicable) and the contact information for the petitioner. The petitioner shall provide proof of the notice to the Planning staff at least fifteen (15) days prior to the date of the public hearing.

Failure to send notice to any homeowner's association existing within the one-half (1/2) mile distance, but unknown to the City and therefore not identified for notice to the petitioner shall not be considered a violation of this section .

B. The petitioner shall conduct a neighborhood meeting with all adjacent property owners, for all proposed zoning amendments which increase density or intensity. The staff shall inform the petitioners of the neighborhood meeting requirement at the pre-application meeting. In lieu of the meeting, the petitioner may notice all adjacent property owners by letter, delivered by certified mail at least twenty (20) days prior to the hearing date. The letter shall provide an overview of the zoning request and shall include the petitioner's contact information. Proof of the neighborhood meeting or the notification by certified letter shall be provided to the Planning Department no later than ten (10) days

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