

PROCEDURE - PUBLIC NOTICE REQUIREMENTS

PURPOSE

The purpose of this procedure is to establish a consistent process for public notice requirements.

NOTICE OF APPLICATION, MAILED NEIGHBOR NOTIFICATIONS

Notice of application letters shall be drafted and mailed by PCD within 7 calendar days of the project file number being generated by the project manager for all following the Public Notice Requirements table. Project managers will request an EDARP review to be completed by PCDhearings (PCD Admin) which must indicate what type of notice is appropriate (i.e., whether the application will result in a public hearing or administrative determination).

PCD will prepare the recipient address list utilizing a buffer tool provided by the El Paso County Assessor's Office. The selected range shall be 500 feet from the boundary of the affected area, unless otherwise authorized by the PCD Planning Manager. For example, a rezoning application for only a portion of a Sketch Plan area would not notice a 500-foot buffer from the entire Sketch Plan, but only from the active application area.

The PCD Planning Manager may authorize an expanded or reduced notification range in situations where such would be in the best interest of the public.

The applicant shall be responsible for reimbursing PCD for the cost of postage for all mailed notifications. PCD Admin will advise the project manager of the postage cost so that the applicant can be charged for the reimbursement cost in EDARP.

PCD will prepare the notification letter utilizing a template that shall include the following:

- Owner/applicant and consultant/representative's contact information.
- PCD project manager's contact information.
- A brief description of the request.
- The EDARP public web address.
- The project type, name, and file number.
- Site address, location, property size, and zoning district.
- Vicinity map.

A copy of the mailed notification letter, the recipient address list, and an image of the selected range shall be uploaded to the project file and to EDARP by PCD.

NOTICE OF ADMINISTRATIVE DETERMINATION, MAILED NEIGHBOR NOTIFICATIONS

Notice of potential administrative determination letters shall be drafted and mailed by PCD at least 14 calendar days prior to the potential decision date. Project managers will request an EDARP review to be completed by PCDhearings (PCD Admin) which must indicate what type of notice is appropriate (i.e., whether the application will result in a public hearing or administrative determination).

PCD will notify surrounding property owners following the same standard used for the mailed notice for applications. The applicant shall be responsible for reimbursing PCD for the cost of postage for all mailed notifications. PCD Admin will advise the project manager of the postage cost so that the applicant can be charged for the reimbursement cost in EDARP.

PCD will prepare the notification letter utilizing a template that shall include the following:

- Owner/applicant and consultant/representative's contact information.
- PCD project manager's contact information.
- A brief description of the request.
- The EDARP public web address.
- The project type, name, and file number.
- Site address, location, property size, and zoning district.
- Vicinity map.
- The date on which the PCD Executive Director may make a formal decision. This date must be at least 14 calendar days after the anticipated mailing date.

A copy of the mailed notification letter, the recipient address list, and an image of the selected range shall be uploaded to the project file and to EDARP by PCD.

NOTICE OF PUBLIC HEARING, MAILED NEIGHBOR NOTIFICATIONS

Notice of hearing letters shall be drafted and mailed by PCD at least 14 calendar days prior to the public hearing. PCD will notify surrounding property owners following the same standard used for the mailed notice for applications. The applicant shall be responsible for reimbursing PCD for the cost of postage for all mailed notifications. PCD Admin will advise the project manager of the postage cost so that the applicant can be charged in EDARP.

PCD will prepare the notification letter utilizing a template that shall include the following:

- PCD project manager's contact information.
- PCD Department contact information.
- The date, location, and start time of the hearing(s).
- A brief description of the request.
- The EDARP public web address.
- The project type, name, and file number.
- Information on how the public can watch and/or participate remotely.
- Vicinity map.

A copy of the mailed notification letter, the recipient address list, and an image of the selected range shall be uploaded to the project file and to EDARP by PCD.

NOTICE OF PUBLIC HEARING, POSTERS

The poster, an Affidavit for Notice of Public Hearing, a vicinity map depicting posting location, and the posting deadline shall be provided to the applicant or authorized representative by PCD at least 14 calendar days prior to the hearing.

The poster shall not be less than 22" by 28" in size and shall include the following:

- PCD Department contact information.
- The date, location, and start time of the hearing(s).
- A brief description of the request.
- The EDARP public web address.
- The project type, name, and file number.

The applicant or authorized representative must complete a notarized Affidavit for Notice of Public Hearing when the poster is received from PCD. A notary will be provided by PCD. The affidavit is acknowledgement of the following:

- The notice shall be posted in a conspicuous place on the subject property at least 10 calendar days prior to the hearing and must remain posted through the specified hearing date(s).
- If the notice is damaged so that it is no longer legible or if the notice is unintentionally removed, the applicant must notify PCD as soon as possible for a replacement.
- Failure to post and/or repost may result in rescheduling of hearing dates.
- A photo of the posted notice must be emailed to PCDHearings@elpasoco.com as proof of posting within 24 hours of physically posting to the subject property.

The completed affidavit and photos of the posters shall be uploaded to the project file and to EDARP by PCD.

HEARING AGENDAS

Hearing agendas for Planning Commission and Board of Adjustment hearings will be prepared by PCD and shall include the following:

- PCD Department contact information.
- The date, location, and start time of the hearing.
- The type of hearing (Quasi-Judicial).
- Report items.
- An opportunity for public comment regarding items not listed on the agenda.
- The project type, name, description, and file number of all consent items.
- The adoption of past meeting minutes.
- An opportunity to hear called-up consent items.
- The project type, name, description, and file number of all regular items.
- Non-action items.
- Information on how the public can watch and/or participate remotely.
- Where to find additional details about each project.

Hearing agendas shall be posted on the PCD website at least 3 calendar days prior to the hearing, emailed to sunshinelaw@elpasoco.com to be posted on the El Paso County Information Portal, and shall be posted outside the hearing room on the day of the hearing. The hearing agenda shall be uploaded to the project file in EDARP by PCD.

LEGAL ADVERTISEMENTS

Legal advertisements are required for certain land-use items heard by the BoCC (e.g., rezones, special districts, code amendments, etc.) and are not typically issued for Planning Commission or Board of Adjustment hearings.

PCD is responsible for drafting and coordinating the publication of legal advertisements using the vendor contracted for services by the BoCC.

Legal advertisements must be published at least 14 calendar days prior to the hearing date and shall include the following:

- The date, location, and start time of the hearing(s).
- The project type, project name, and project file number.
- A brief description of the request.
- Where to find additional details about the project.
- The EDARP public web address.

A notarized Affidavit of Publication (received from the vendor after publication) shall be uploaded to the project file and to EDARP by PCD.