

March 20, 2023

**NOTICE OF PUBLIC HEARING
CITY OF PACIFIC
PLANNING & ZONING COMMISSION**

**Zoning Code Amendments, Chapter 405
Notice requirements for Public Hearings**

The City of Pacific Planning and Zoning Commission will conduct a Public Hearing on **Tuesday, April 11** at 7:00 P.M., in the Board of Aldermen Chambers of the Pacific Government Center located at 300 Hoven Drive, Pacific MO, to hear comments on the following proposals:

1. PZ 2023-08: Text Amendment, Chapter 405, Notice, Hearings, Fees. The City of Pacific is seeking a text amendment to Chapter 405 to establish amended procedures for providing notice to the public for hearings relating to Zoning and Land Use actions. Amendments are proposed to require the City of Pacific provide for mailed notice to landowners of record within 185 feet of property subject to public hearing; the costs of which shall be paid by the person(s) making application for the specific action requested.

All citizens requesting to comment on the above proposal will be given an opportunity to speak at the hearing. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at www.pacificmissouri.com under "Public Hearing Notices." For more information, please contact Steve Myers, Community Development Director, at 636-271-0500 ext 216 or by email at smyers@pacificmissouri.com.

BILL NO. _____

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CITY OF PACIFIC MUNICIPAL CODE TITLE IV: LAND USE, CHAPTER 405: PLANNING AND ZONING, TO ESTABLISH AMENDED PROCEDURES FOR PROVIDING PUBLIC NOTICE OF PUBLIC HEARINGS REQUIRED UNDER TITLE IV

WHEREAS, Section 405.060 of the Zoning Code contains requirements relating to providing public notice of public hearings required by Title IV: Land Use, and the City of Pacific has proposed certain amendments to Section 405.060; and

WHEREAS, a Public Hearing was held on April 11, 2023 by the Planning and Zoning Commission regarding the proposed amendments; and

WHEREAS, following the Public Hearing on April 11, 2023 by the Planning and Zoning Commission and after consideration of the request and testimony presented therein, the Planning and Zoning Commission recommended approval of the ordinance to the Board of Aldermen; and

WHEREAS, notice of said public hearing had previously been published at least 15 days prior to the hearing in the *Missourian*, a newspaper of general circulation in the City of Pacific and otherwise posted and published in accordance with the Zoning Ordinance; and

WHEREAS, all persons who presented themselves at said meeting and desiring to be heard were given an opportunity to be heard and a copy of the proposed ordinance has been made available for public inspection prior to its consideration by the Board of Aldermen; and the Bill was read by title in open meeting two times before final passage by the Board of Aldermen; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1. Chapter 405: Planning and Zoning, Section 405.060 of the City of Pacific's Code of Ordinances shall be amended to read as follows:

A. *Notice And Hearings.* Whenever the provisions of this Title require notice and hearing, the following procedures herein shall govern.

1. *Time of publication, content.* It is the responsibility of the Zoning Officer to see that notice, commencing not more than thirty (30) days nor less than fifteen (15) days prior to the hearing date, of the time and place of the hearing is published in a newspaper of general circulation qualified to publish legal notice in the City of Pacific and posted on the official website of the City of Pacific. The notice shall state the date, time and place of the hearing, the name of the person making the application, the specific action requested and a general description of the location of the subject property. When applicable, the notice shall also state where copies

of reports, documents, applications, plans or other relevant materials will be accessible for public inspection prior to the hearing. The cost of publication in said newspaper shall be at the applicant's expense.

2. *Posting notice.* In addition to publishing notice, the Zoning Officer shall see that a sign providing notice of a pending zoning matter is posted on the subject premises or property or City block, as well as at the City Hall of the City of Pacific. Notice shall be posted at least fifteen (15) calendar days prior to the public hearing.
3. *Notification of neighboring landowners.* In addition to the provisions of Paragraph 1 and 2 above, the Zoning Officer shall be responsible for mailing notice, consisting of the same information as required for publication in paragraph (1), to all landowners of record within one hundred eighty-five (185) feet from each legal boundary of the subject property. This notice shall be sent by certified mail at applicant's expense. The Zoning Officer shall use publicly available land records published by the County of residence in determining landowners of record. Mailed notice shall be postmarked at least fifteen (15) calendar days prior to the public hearing.

Section 2: This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen and approval by the Mayor.

PASSED this _____ day of _____, 2023. _____
Heather Filley, MAYOR

APPROVED this _____ day of _____, 2023. _____
Heather Filley, MAYOR

ATTEST:

City Clerk

Section 405.060. Notice, Hearings, Fees. [Ord. No. 2327 §1, 3-18-2003; Ord. No. 2834 §2, 6-6-2012]

- A. *Notice And Hearings.* Whenever the provisions of this Title require notice and hearing, the following procedures herein shall govern.
1. *Time of publication, content.* It is the responsibility of the Zoning Officer to see that notice, commencing not more than thirty (30) days nor less than fifteen (15) days prior to the hearing date, of the time and place of the hearing is published in a newspaper of general circulation qualified to publish legal notice in the City of Pacific and posted on the official website of the City of Pacific. The notice shall state the date, time and place of the hearing, the name of the person making the application, the specific action requested and a general description of the location of the subject property. When applicable, the notice shall also state where copies of reports, documents, applications, plans or other relevant materials will be accessible for public inspection prior to the hearing. The cost of publication in said newspaper shall be at the applicant's expense.
 2. *Posting notice.* In addition to publishing notice, the ~~City Clerk~~Zoning Officer shall see that a sign providing notice of a pending zoning matter is posted on the subject premises or property or City block, as well as at the City Hall of the City of Pacific. Notice shall be posted at least fifteen (15) calendar days prior to the public hearing. **[Ord. No. 3263, 5-4-2021]**
 3. *Notification of neighboring landowners.* In addition to the provisions of Paragraph 1 and 2 above, the Zoning Officer shall be responsible for mailing notice. The applicant shall make a good faith effort to mail notice, consisting of the same information as required for publication in paragraph (1), to all landowners of record within one hundred eighty-five (185) feet from each legal boundary of the subject property. This notice shall be sent by certified mail at applicant's expense. The Zoning Officer shall use publicly available land records published by the County of residence in determining landowners of record. Mailed notice shall be postmarked at least fifteen (15) calendar days prior to the public hearing. The applicant shall provide to the Zoning Officer no less than seven (7) days prior to the public hearing receipts of the certified mailing. The Zoning Officer shall verify the accuracy of the receipts and compliance with the ordinance. Failure to submit receipts on time shall automatically continue the hearing to the next hearing date. The submission of said receipts shall serve proof of the applicant's good faith effort to provide additional notice to the adjacent property owners. In addition to the receipts, the applicant shall provide the Zoning Officer with a map showing the subject property and any neighboring properties affected under this paragraph along with the locator numbers of each property shown. All applicants shall be required to sign a form, attached to the application, that they have read and understand these notification requirements. For any subsequent required public hearings, the applicant shall provide to the Zoning Officer the notification letters properly sealed in an envelope, addressed to the property owners within one hundred eighty five (185) feet and with the proper postage attached to be sent regular mail. The Zoning Officer shall then review the envelopes with the list of property owners to verify that applicant has made a good faith attempt to notify said property owners.