



# Notices for Land Use Public Hearings

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## Topics



Providing Written Legal Notice to renters



Use of certified mail

# State and Local Code

## State Code Requirement

- *Section 15.2.-2204(b)* requires written notice to be provided for requests to all abutting property and property immediately across the street. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate.
- *Section 15.2-2205* permits a locality to provide any additional notice deemed appropriate

## Zoning Ordinance Requirement 8100.1.B.1.j

- “notice must be sent to the last known address of the owner(s) as shown in the County’s current real estate assessment records and, except as specified above or qualified below, must be sent by certified mail, return receipt requested and postmarked at least 15 days before the hearing.”
- *pursuant to paragraph C* “the hearing body’s representative may send the notices by first class mail if that representative affirms by affidavit that the mailing has been made.”

## Topic #1: Written Notice to Renters



State Code and County Zoning Ordinance only require written notice to property owners



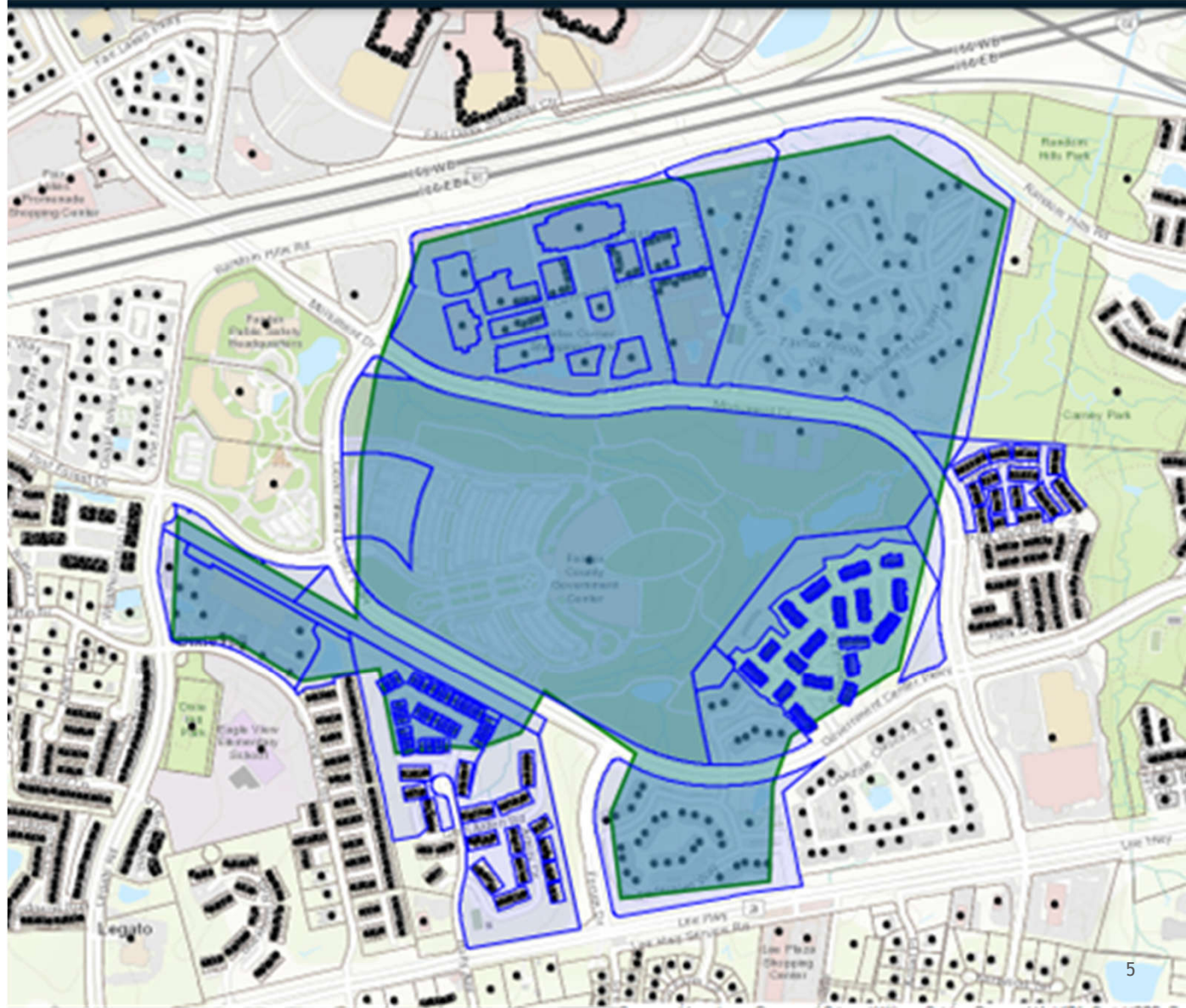
Zoning ordinance could be amended to require applicants to provide written notice to renters *OR*



Board could direct staff to provide written notice to renters

# Comprehensive Plan Amendment example

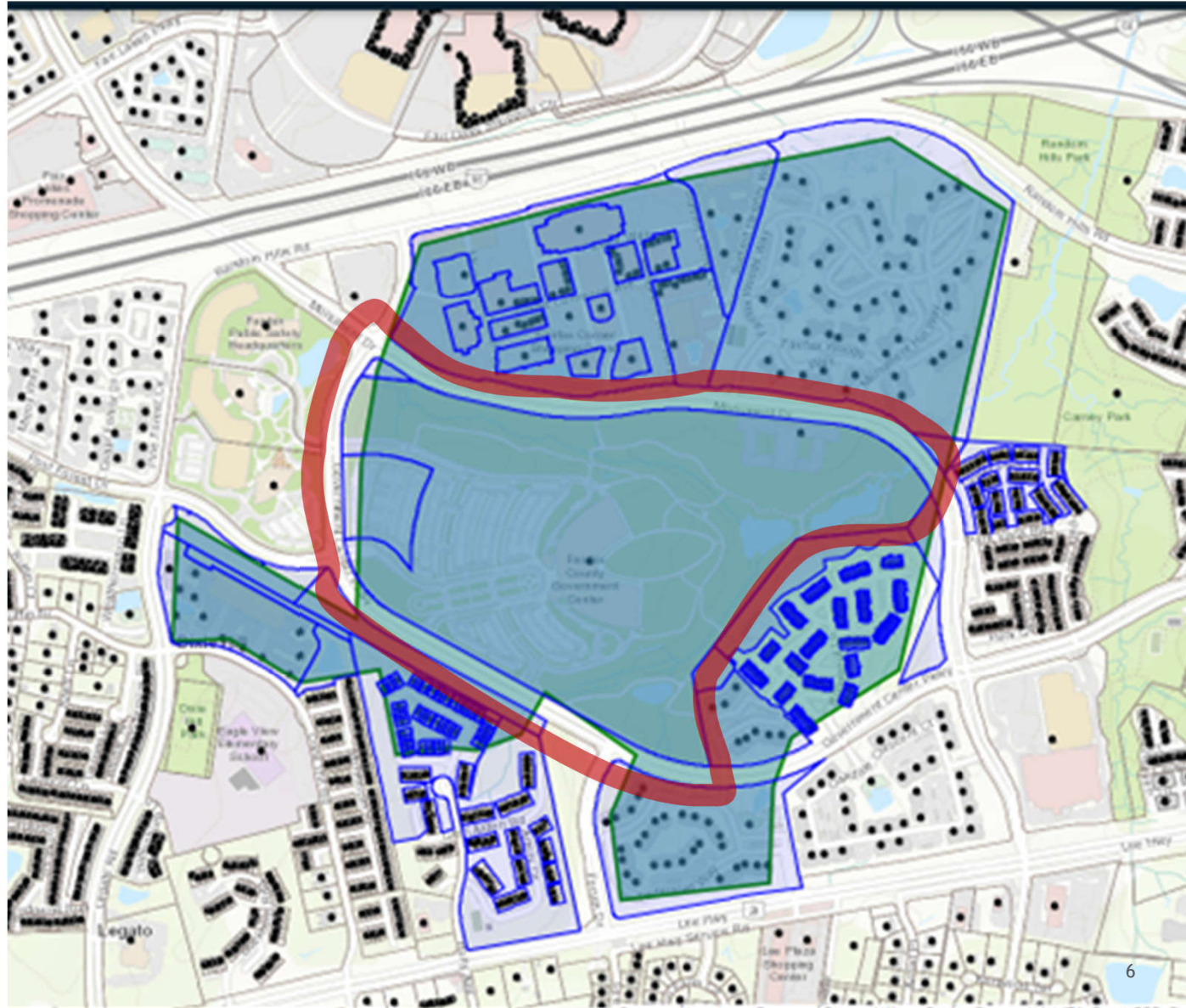
- For Comprehensive Plan Amendments, Staff provides written notice to renters and owners
- See map created for Residences at Government Center





## Comprehensive Plan Amendment example

- State and County Code requires written notice to owners of abutting parcels





# Geographic Exploration & Mapping

Basic Tools | Project | Select Tools | Searches | Map Book Pages | Measurement Tools | Drawing Tools

Pan | Zoom In | Zoom Out | Full Extent | Previous Extent | Next Extent | Bookmarks | Identify | Snapshot | PDF | Parcel Info | Mailing List | Pictometry | GEM

Navigation | Identify | Maps | Reports | Oblique Imagery | Help

Set Parcel Selection Parameters

Draw and Buffer a polygon on the map  
 Draw and Buffer a point on the map  
 Buffer the current parcel selection  
 Buffer the selection on a layer

Distance: \*

Unit:

Output Format:

Email Address: \*

File Format:

I want to...

# Considerations



How to define which properties to notice?

Directly abutting (current code requirement)  
Properties within a defined distance?



Apartment complexes? Single family homes? Manufactured home parks?



Condominium complexes v. Rental complexes



Implications on staff resources



Consistency for recipients



## Questions

Should staff explore expanding notice to renters either by Policy or by Ordinance amendment?

Other aspects you would like staff to consider?

## Topic #2: Use of Certified Mail



Certified Mail is required by state code if written notice provided by applicant

Provides proof notices were sent, and sent correctly

Theoretically provides proof notice was received



Staff can use first class mail

## Considerations



Use of first-class mail by applicant would require a State Code Change

Certified Mail provides assurances necessary for applicant and County  
Staff not recommending State Code Change



Exploring option for County staff to mail notices



No Code Change required; Staff resources similar to current process

## Questions

Should staff consider a policy to provide first class mail for land use application written notice?

Other aspects you would like staff to consider?



# Next Steps

Preparation of white paper  
based on Board guidance

Continue dialog with  
stakeholders

Report back to Board



PLANNING & DEVELOPMENT

