

8-7-8: NOTICE REQUIREMENTS:

A. Public Hearings: On every land use action for which notice is provided below, both the Planning and Zoning Commission and the City Council shall hold a public hearing in which interested persons shall have an opportunity to be heard. No notice of a City Council hearing shall be given prior to receiving a recommendation from the Planning and Zoning Commission. Following any hearing, if a material change from what was advertised in the notice and presented at the public hearing is proposed, further notice and hearing shall be provided before the final decision is made.

B. Neighborhood Meetings: Applicants shall conduct a neighborhood meeting within six (6) months of the application submittal date for comprehensive plan amendments, annexations, rezones, variances, conditional uses, zoning ordinance map amendments, and subdivisions. A neighborhood meeting shall not be required for City initiated applications.

1. Meeting Requirements:

- a. It shall be the sole duty of the applicant to provide mailed written notice, in a form deemed appropriate by the Zoning Administrator, to all property owners or purchasers of record owning property within five hundred (500) feet of the respective radius of the exterior boundary of the application property, ~~as set forth in table B-1.~~ Notice by mail shall also be provided to homeowners' associations that are contiguous to the exterior boundary of the application property and registered with the City. Mailed notice to neighborhood associations and any additional area that may be impacted by the proposed change shall be provided, as determined by the Zoning Administrator. The neighborhood meeting written notice shall be provided by mail a minimum of fifteen (15) calendar days prior to the scheduled neighborhood meeting. For application properties which are five hundred (500) acres in size or larger, notice of the neighborhood meeting shall be provided to all property owners within one-half (1/2) mile of the property boundary the entire city limits.

Table B-1

<u>Application Properties Zoned</u>	<u>The Notice Distance Shall Be</u>
RR and RUT	1,500 feet
A and A-R	1,500 feet
R-E	1,000 feet
R-1	800 feet
All other zones	500 feet

- b. The purpose of the neighborhood meeting is for the applicant to provide project information to the property owners of purchasers of record mentioned in subsection B1a of this section.
- (1) Meetings shall be on a Saturday between ten o'clock (10:00) A.M. and seven o'clock (7:00) P.M., or on a weekday between six o'clock (6:00) P.M. and eight o'clock (8:00) P.M. The meeting shall not be on a [federal](#) holiday, a [federal](#) holiday weekend or the day before or after a [federal](#) holiday or [federal](#) holiday weekend.
 - (2) The meeting shall be held either on the application property or at a location with suitable meeting facilities if such facilities are located within the city of Eagle planning boundary as identified within the comprehensive plan.
- c. The neighborhood meeting shall be conducted prior to the submittal of the application.
- d. Application materials shall include a written verification of the neighborhood meeting and a dated copy of notice provided to affected property owners. (Ord. 699, 5-28-2013)

C. Published And Mailed Notice For Comprehensive Plan And Zoning And Subdivision Ordinance Text Enactments, Amendments, And Repeals: At least fifteen (15) calendar days prior to each hearing, notice of the time and place of the hearing and a summary of the proposed action shall be made available to other papers, radio, and television stations serving the city for use as a public service announcement. Notice shall be sent to all political subdivisions providing services within the city, including school districts, at least fifteen (15) calendar days prior to the public hearing.

D. Published And Mailed Notice For Annexation, Comprehensive Plan Land Use Map Amendment, Zoning Ordinance Map Amendment, Development Agreement, Conditional Use Permit, Variance, Planned Unit Development, And Subdivision: At least fifteen (15) calendar days prior to each hearing, notice of time and place of the hearing and a summary of the request and proposed action shall be published in the official newspaper or paper of general circulation within the city. Notice shall also be made available to other papers, radio, and television stations serving the city for use as a public service announcement.

At least fifteen (15) calendar days prior to the hearing, additional notice shall be provided to political subdivisions providing services, including school districts. Notice by mail shall be provided to all property owners and purchasers of record owning property [located within the respective radius within five hundred \(500\) feet](#) of the exterior boundary of the application property, as set forth in table D-1. Notice by mail shall also be provided to homeowners' associations that are contiguous to the exterior boundary of the application property [and registered with the City](#). Mailed notice to neighborhood associations and any additional area that may be impacted by the proposed change shall be provided as determined by the [Zoning Administrator](#). For application properties which are five hundred (500) acres in size or larger, notice of the public

hearing shall be provided to all property owners within one-half (1/2) mile of the property boundary. ~~the entire city limits.~~

Table D-1

Application Properties Zoned	The Notice Distance Shall Be
RR and RUT	1,500 feet
A and A-R	1,500 feet
R-E	1,000 feet
R-1	800 feet
All other zones	500 feet

E. Posted Notice: Except as noted within this subsection, any time notice is required under subsection D of this section, the land being considered shall be posted in a manner as determined by the Zoning Administrator, not less than ten (10) calendar days prior to the Planning and Zoning Commission hearing and again not less than ten (10) calendar days prior to the Ceity Ceouncil hearing. For comprehensive plan use map amendments and/or zoning ordinance map amendments consisting of changes to more than ten (10) parcels of land posted notice shall not be required unless all parcels under request for amendment are contiguous and if the parcels abut a public right of way. In such cases a minimum of one (1) four foot by eight foot (4' x 8') plywood sign shall be placed adjacent to the right of way. Otherwise, three (3) notices in the official newspaper or paper of general circulation, with the third notice appearing a minimum of ten (10) calendar days prior to the public hearing, shall be published. Posted notice shall not be required for City initiated applications. Except as noted herein, posting of the property must be in substantial compliance with the following requirements:

1. Signage Requirements:

a. The sign(s) shall consist of four foot by four foot (4' x 4') plywood of other hard surface mounted on two (2) four in by four inch (4" x 4") posts in such a manner that it is perpendicular to the roadway along which the sign is posted. and the bottom of the sign is at least three feet (3') above the ground.

b. Centered at the top of the four foot by four foot (4' x 4') sign board(s) in six inch (6") letters shall be the words "Public Notice". In addition, each sign will inform the public of the name of the applicant, and if applicable, the proposed development, the date, time, place, and nature of the public hearing and a summary of the proposal to be

considered. Each sign shall be painted white and the letters shall be painted black and shall appear on both sides. An example of this sign is listed below:

Size = 6 inches-----	PUBLIC HEARING NOTICE
Size = 2 inches-----	Eagle Planning and Zoning Commission
Size = 1.5 inches-----	THE CITY OF EAGLE will hold a public hearing on May 9, 1995, at the Eagle City Hall.
Size = 1.5 inches-----	PURPOSE: Annexation and Zoning- You-Name-It Subdivision- Zoning R-4, Subdivision Preliminary Plat, 7.66 acres, 29 lots, single family dwelling, 1 lot open space/drainage w/ landscaped entryway.
Size = 1.5 inches-----	LOCATION: SW corner of Second St. and State St.
Size = 1.5 inches-----	APPLICATION BY: Average citizen, USA, Inc.

c. Size Of Signs for Conditional Use Permits Mae Pursuant to Subsections 8-3-2 (E), 8-5-2 (C), and 8-7-3-1 (C): In lieu of the conditions required within this section the Zoning Administrator may, upon finding that adequate notice will be provided, permit the use of smaller, weather-resistant sign(s) to inform the public of the name of the applicant, the date, time, place, and nature of the public hearing and a summary of the proposal to be considered.

2. Location Of Signs: The sign(s) shall be posted on the land being considered along each roadway that is adjacent to it. The signs shall be located on the property outside of the public right-of-way, if they can be so located and remain visible from the roadway; otherwise, the consent of the owner of the right-of-way must be obtained and the sign(s) located therein. ~~Except as noted herein, if the land being considered consists of more than one parcel of record, a sign must be located upon each parcel.~~ In the event that the land being considered includes properties with five hundred feet (500') or more of road frontage, a sign shall be placed on each end of the property roadway frontage. If the property includes a corner lot, three (3) signs shall be posted, one on the corner and one near each end of the property roadway frontages.

3. Upon finding that adequate notice will be provided, the Zoning Administrator may waive the size and location requirements of subsection E(1) and E(2) of this section.

4. Certification: The applicant shall submit a certification to the City Clerk no later than seven (7) days prior to the hearing as to what, where, and when sign(s) were posted. Unless the certification is received by such date, the hearing will be canceled.

5. Sign Removal; Penalty: No later than three (3) days after the noticed hearing and any continuation thereof, sign(s) must be removed. A penalty of twenty five dollars (\$25.00) per day shall be imposed against each applicant for late removal of the signs.

(Ord. 312A, 2-10-1998; amd. Ord. 503, 1-11-2005; Ord. 699, 5-28-2013; Ord. 809, 4-9-2019; Ord. 820, 12-10-2019; Ord. 827, 10-22-2020; Ord. 888, 11-9-2022)