

INTRODUCED: May 22, 2017

A RESOLUTION No. 2017-R029

To declare a public necessity and to initiate an amendment to the City’s zoning ordinance making the Department of Planning and Development Review, instead of the Office of the City Clerk, responsible for the mailing of all notices of public hearings required by Va. Code § 15.2-2204.

Patrons – All Members of Council

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUNE 26 2017 AT 6 P.M.

WHEREAS, section 15.2-2286 of the Code of Virginia (1950), as amended, provides that a zoning ordinance may include, among other things, reasonable regulations and provisions for the amendment of regulations or district maps from time to time; and

WHEREAS, in accordance with section 15.2-2286 of the Code of Virginia (1950), as amended, such amendment may be initiated by resolution of the governing body, provided that any such resolution by the governing body proposing an amendment to the regulations or district maps shall state the public purposes therefor; and

WHEREAS, the City’s zoning ordinance currently requires the Office of the City Clerk to mail notices of public hearings by both the City Planning Commission and the City Council when required by section 15.2-2204 of the Code of Virginia (1950), as amended; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JULY 24 2017 REJECTED: _____ STRICKEN: _____

WHEREAS, it is in the best interests of the citizens of the City of Richmond that the City amend its zoning ordinance, codified as Chapter 30 of the Code of the City of Richmond (2015), as amended, to reassign the responsibility for mailing such notices from the Office of the City Clerk to the Department of Planning and Development Review;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City Council hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require the initiation of an amendment of the City's zoning ordinance to make the Department of Planning and Development Review, instead of the Office of the City Clerk, responsible for the mailing of notices of public hearings by both the City Planning Commission and the City Council when required by section 15.2-2204 of the Code of Virginia (1950), as amended.

BE IT FURTHER RESOLVED:

That pursuant to section 15.2-2286 of the Code of Virginia (1950), as amended, the City Council hereby initiates an amendment to the City's zoning ordinance for the purpose of making the Department of Planning and Development Review, instead of the Office of the City Clerk, responsible for the mailing of notices of public hearings by both the City Planning Commission and the City Council when required by section 15.2-2204 of the Code of Virginia (1950), as amended.

BE IT FURTHER RESOLVED:

That the City Planning Commission is hereby directed to hold a public hearing on the proposed amendatory ordinance and submit its recommendations and any explanatory material to the City Council as soon as practicable.



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

RECEIVED

MAY 10 2017

TO Allen Jackson, City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *LB*

FROM Steven Taylor, Council Policy Analyst *ST*

COPY Chris Hilbert, President 3rd District Council Member
 Lisa Townes, 3rd District Liaison
 Haskell Brown, Deputy City Attorney
 Meghan Brown, Deputy Council Chief of Staff *MKB*

OFFICE OF CITY ATTORNEY

DATE May 5, 2017

PAGE/s 1 of 2

TITLE Amend the City Zoning Ordinances concerning public notices of Planning Commission hearings when the Council or the Commission Considers Applications for zoning changes, SUPs, conditional use permits, etc.

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Hilbert Requestor, and All Members are Co-Patrons

SUGGESTED STANDING COMMITTEE

Land Use, Housing & Transportation

ORDINANCE/RESOLUTION SUMMARY

This request is for a resolution to initiate an amendment to the City's zoning ordinance pursuant to Section 15.2-2286 of the Code of Virginia to make the Department of Planning and Development Review, instead of the Office of the City Clerk, responsible for the mailing of all notices of public hearings required by Section 15.2-2204 of the Code of Virginia.

BACKGROUND

The City's zoning ordinance requires the City Clerk to give notice of public hearings by both the Planning Commission and the City Council on land use ordinances "in accordance with general law." In addition to newspaper advertisements of these public hearings, Section 2.2-2204(B) of the Code of Virginia requires localities to mail notices of the public hearings

to the owners of the affected parcels, as well as the owners of abutting parcels, and certain other property owners. The extent of the required mailings varies based on the number of parcels involved in the land use ordinance. In addition to the legally mandated mailings by the Virginia Code, the City has a practice of mailing notices to the owners of all parcels if some part of the parcel is located within 150 feet of a parcel involved in a land use ordinance. This practice is not required by law, and the patrons intend that the practice be discontinued. The patrons further intend that the Office of the City Clerk remain responsible for all newspaper advertisements required by general law for public hearings on land use ordinances. The patrons' objective is for the new zoning requirement to be effective July 1, 2017, to coincide with the Fiscal Year 2017-2018 budget, which should be amended to make available the necessary funding for the mailings.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$ N/A	

Note: Dept of Planning & Development Review estimates \$58,000 in employee costs (salary and benefits), \$25,000 in mailings, and \$4,000 in technology and office equipment would be needed to handle these changes.

Attachment/s Yes No