

18.140.060 Public hearing notification.

A. *Purpose.* This section is intended to provide the public information about upcoming public hearings on land use issues and to provide property owners and interested organizations that may be impacted by a project of a pending action on a land use application. Public hearings shall be preceded by public notice in accordance with this section and state law.

B. *Applicability.* Notice is required for all applications that require a public hearing before the city council, planning and zoning commission, board of adjustment, hearing officer, or zoning administrator.

1. When multiple applications are under review for the same project, the city may simultaneously issue notice for multiple applications. The requirement that provides for greater notice shall apply.

2. The zoning administrator may require additional notification if necessary to meet the requirements of this code and the A.R.S.

C. *Notification Requirements.* Notification shall be provided in the following manner:

1. *Mailed Notice.* The applicant shall mail notices provided by the applicant by first class mail, in both English and Spanish.

- a. Time period:

- i. Public hearings: Not less than 15 or more than 30 days before the date of the public hearing.

- b. Recipients:

- i. The applicant, the owner, and any occupant of the subject property; and

- ii. All property owners of record and tenants of property within a minimum 600-foot radius of the subject property.

- c. *Notification List.* The applicant shall provide a list of property owners and occupants within the prescribed area of notification and shall sign an affidavit verifying that the list has been prepared in accordance with the procedure outlined in this section.

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- i. *Property Owner Notice.* The last known name and address of each property owner as contained in the records of the Pinal County Assessor shall be used;
 - ii. *Tenant Notice.* The address of the residential and commercial tenants shall be determined by visual site inspection or other reasonably accurate means;
 - iii. All neighborhood and community organizations that have previously filed a written request for notice of projects in the area where the site is located; and
 - iv. Any person or group who has filed a written request for notice regarding the specific application.
 2. *Newspaper Notice.* The development services department shall review the notice prior to the applicant publishing in at least one newspaper of general circulation in the city.
 - a. Time period: At least 15 days before the date of the public hearing.
 3. *Posted Notice.* Notice shall be provided on the proposed site. The sign shall be colored and waterproof with all information evenly spaced and organized in a readable manner. The size of the poster may be increased by the zoning administrator. The sign shall include the proposal, project description, time, date, location of neighborhood meeting, the names and telephone numbers citizens may call with complaints and applicant and city contacts, including name and telephone number. The sign shall be placed on the property in a location determined by the development services department.
 - a. Time period: At least 15 days before the date of the public hearing.
 - b. Size requirements: 24 inches by 36 inches.
 4. *General Plan and Zoning Code Amendments.* All notification procedures outlined in A.R.S. §§ [9-462.03](#) and [9-462.04](#) must be met. Any general plan or zoning code amendments must meet the following requirements:
 - a. *Newspaper Notice.* Notice shall be provided by a “display ad” covering not less than one-eighth of a full page in a newspaper of general circulation in the city (A.R.S. § [9-462.04\(A\)\(5\)](#)).
 - b. *Posted Notice.* If there is no newspaper of general circulation published or circulated in the city, then notice shall be posted on the affected property and in at least 10 public
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places in the municipality. The posted notice shall be printed in such a manner so that the following are visible from a distance of 100 feet: the word “zoning,” the present zoning district classification, the proposed zoning district classification, and the date and time of the hearing (A.R.S. § [9-462.04\(A\)\(1\)](#)).

5. *Electronic Notice.* Notice will be provided by electronic means such as emailed notice, posted notice on the city’s website and social media, or other means determined by the zoning administrator. This type of notice may be substituted for advertised notice. Any persons or organizations may request that electronic notice be substituted for mailed notice through a request to the zoning administrator. Electronic notice shall not substitute for any notification required by state law.

D. *Contents of Notice.* All notices shall include the following information:

1. The location of the real property, if any, that is the subject of the application;
2. A general description of the proposed project or action;
3. The names of the applicant and the owner of the property that is the subject of the application;
4. The location and times at which the complete application and project file, including any environmental review, if required, may be viewed by the public;
5. A statement that any interested person or authorized agent may appear and be heard;
6. A statement describing how to submit written comments;
7. The date, time, location, and purpose of the public hearing;
8. The identity of the hearing body or officer; and
9. For city council hearings, the planning and zoning commission recommendation, if any.

E. *Failure to Receive Notice.* Notwithstanding the notice requirements of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of the city for which the notice was given.

F. *Summary of Notification Requirements.* Table 18.140.060 summarizes the notification requirements under this code for each application or action, including the type of notice, the notice requirement and the applicable projects for which such notice is required.

Table 18.140.060 Notification Requirements

Application or Action	Chapter	Decision-Making Body	Type of Notice	Notice Requirements	Applicable Projects
Zoning Permit	18.145	Zoning administrator	n/a	n/a	All requests requiring a zoning permit
Administrative Use Permit	18.150	Zoning administrator	n/a	n/a	All requests requiring an administrative use permit under this code
Conditional Use Permit	18.150	Planning and zoning commission	Hearing Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days Ad: 15 days	All projects requiring a conditional use permit under this code
Temporary Use Permit	18.150	Zoning administrator	Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days	
Development Review Permit	18.155	Major(1): planning and zoning commission Zoning administrator	Major(1): Meeting Notice	Major(1): Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days	Major(1): • Otherwise required by code
		Minor(1): Zoning administrator	Minor(1): n/a	Minor(1): n/a	Minor(1): • Otherwise required by code
Changes to an	18.155	Major(1):	Major(1):	Major(1):	

Application or Action	Chapter	Decision-Making Body	Type of Notice	Notice Requirements	Applicable Projects
Approved Development Review Permit		planning and zoning commission Zoning administrator	Meeting Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days	
		Minor(1): Zoning administrator	Minor(1): n/a	Minor(1): n/a	
Waiver from Dimensional Standards	18.165	Zoning Administrator	n/a	n/a	
Variances	18.160	Board of Adjustment Hearing Officer	Hearing Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days Ad: 15 days	All Variance Applications
Permit Revocation	18.140.130	Original decision-making body	Meeting Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days Ad: 15 days	All Revocations
Heritage Area Development Review Permit	18.155	Major(1): planning and zoning commission Zoning administrator	Major(1): Meeting Notice	Major(1): Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days	Major(1): • Otherwise required by code
		Minor(1): Zoning administrator	Minor(1): n/a	Minor(1): n/a	Minor(1): • Otherwise required by code
General Plan Text and Map Amendments	18.170	Recommendation: planning and zoning	Hearing Notice	Mailed: 15 days, 600 ft. owners and occupants	All general plan applications, including those

Application or Action	Chapter	Decision-Making Body	Type of Notice	Notice Requirements	Applicable Projects
		commission Final Action: City council		Poster: 15 days Ad: 15 days	initiated by the city council or planning and zoning commission
Zoning Code and Map Amendments	18.175	Recommendation: Planning and zoning-commission Final Action: City council	Hearing Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days Ad: 15 days	All zoning code applications, including those initiated by the city council or planning and zoning commission
Planned Area Development Districts	18.180	Recommendation: Planning and zoning commission Final Action: City council	Hearing Notice	Mailed: 15 days, 600 ft. owners and occupants Poster: 15 days Ad: 15 days	All PAD applications, including those initiated by the city council or planning and zoning commission

1 Refer to MCC [18.155.040](#) for definition of a minor development review permit and MCC [18.155.050](#) for definition of a major development review permit.