



## MEMORANDUM

**To:** Mayor and City Council

**From:** Gary L. Sieb, Director of Planning  
Marcie Diamond, Assistant Director of Planning

**Date:** July 28, 2015

**Reference:** Work Session - Zoning Notification Study

**2030:** **Sustainable City Government, Special Place to Live, Sense of Community**

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### Introduction:

Staff was tasked with reviewing the current process for notifying property owners of pending rezoning requests, including rezonings, planned development districts and special use permits. State law (Section 211 of the Local Government Code) requires that all property owners within 200 feet be sent a notice 10 days prior to Planning and Zoning Commission Public Hearing. In addition a notice is required to be placed in the newspaper 15 days prior to the City Council public hearing. The City of Coppell complies with notification requirements prescribed by state law, as well as requires the applicant to place a “zoning change requested” sign on the property, 10 days prior to the P&Z public hearing. This sign is required to remain on the property until after Council action. In addition, P&Z agendas are posted in City Hall and on the City’s website six days prior to the scheduled public hearing. Council agendas are posted in a similar manner.

Staff’s work effort included a survey of surrounding city’s notification practices as well as a cost analysis of increased notification in terms of postage, materials and staff time.

### Analysis:

**Table 1** indicates that all of our surrounding cities meet the state mandated minimum 200-foot notification area except for the Cities of Dallas and Plano. The City of Dallas’ notification area increases to 500 feet depending on the acreage involved in the rezoning. The City of Plano recently amended their notification process to send “courtesy” notices to those property owners between 201 and 500 feet. These courtesy notices do not include reply forms as they would not count towards requiring a super majority vote of Council to approve a rezoning when written opposition is received from property owners within 200 feet. All city’s surveyed also require the posting of notification signs.

**Table 2** is a summary of the comparative analysis of number of notices that would be sent with 200, 500 and 800-foot notification areas. These scenarios are also illustrated in Attachments A and B. Two locations were compared; The 0.7 acre tract at Kimbel Kourt and Village Parkway and the 0.9 acre tract at Bethel School Road and Denton Tap. As indicated in the attached, the number of property owners notified, staff time, costs and postage increases as the area of notification enlarges.

**Legal Review:**

This item did not require City Attorney review

**Fiscal Impact:**

None

**Recommendation:**

The Planning Department recommends maintaining all current notification methods, and in addition to the state mandated mailed notices to property owners within 200 foot, send courtesy notices to those property owners located 201-500 feet of the subject property.

**Attachments:**

1. Table 1 – Survey of Surrounding Cities
2. Table 2 – Cost Summaries
3. Exhibits of Notification Areas

# Table 1

City	Notification Area of Property Owners	Zoning Change Sign
Carrollton	210 feet*	Yes
Lewisville	200 feet	Yes
Grapevine	200 feet	Yes
Dallas	0 to 1 acre - 200 feet	Yes
	>1 to 5 acres - 300 feet	Yes
	> 5 to 25 acres - 400 feet	Yes
	>25 acres - 500 feet	Yes
Plano	200 feet 201 to 500 feet, courtesy only HOA - 1500 feet	Yes
Frisco	200 feet	Yes
Allen	200 feet	Yes
McKinney	200 feet	Yes
Irving	200 feet	Yes
Farmers Branch	200 feet	Yes
Flower Mound	200 feet	Yes

\* increased to 210 feet to assure the 200 requirement is met.

Table 2  
Cost Comparisons

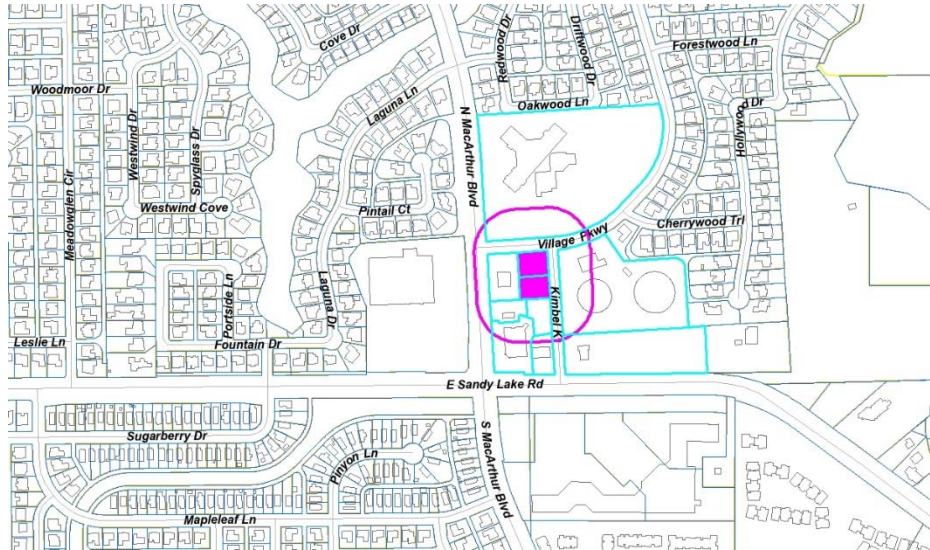
Kimbel Kourt and Village Parkway 0.7 acres	200' notification	500' notification	800' notification
# of Notices	10	23	99
Postage <sup>1</sup>	\$5.00	\$12.00	\$49.00
Staff & Materials <sup>2</sup>	\$75.00	\$80.00	\$150.00
<b>Cost Estimates</b>	<b>\$80.00</b>	<b>\$92.00</b>	<b>\$199.00</b>

Bethel School Road and Denton Tap Road 0.9 acres	200' notification	500' notification	800' Notification
# of Notices	19	59	139
Postage <sup>1</sup>	\$10.00	\$29.00	\$69.00
Staff & Materials <sup>2</sup>	\$75.00	\$100.00	\$175.00
<b>Cost Estimates</b>	<b>\$85.00</b>	<b>\$129.00</b>	<b>\$244.00</b>

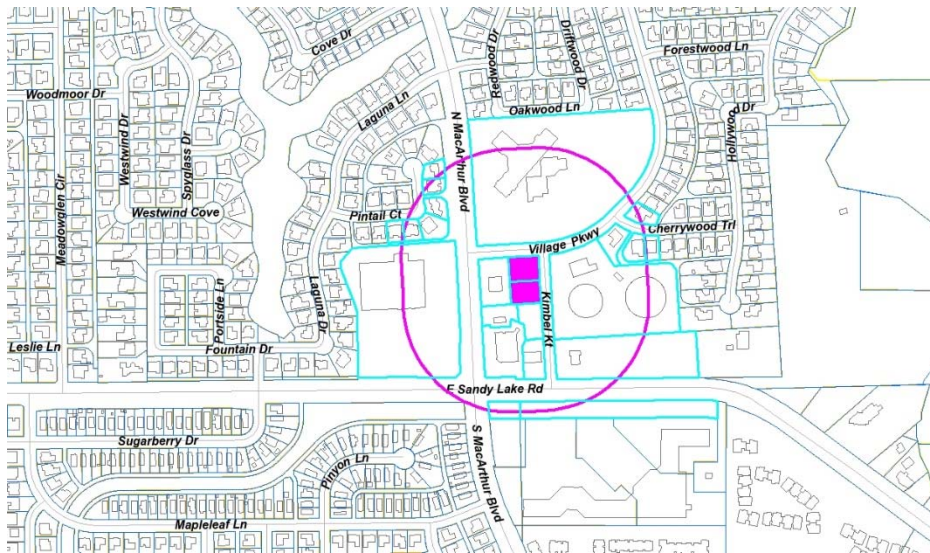
<sup>1</sup> Postage costs have been rounded up to the nearest dollar

<sup>2</sup> Each notice includes three sheets, the written notice, a map and a reply form. Staff time includes preparing the maps and the mailing list utilizing the GIS system, verifying each address with DCAD, copying the notices and stuffing the envelopes.

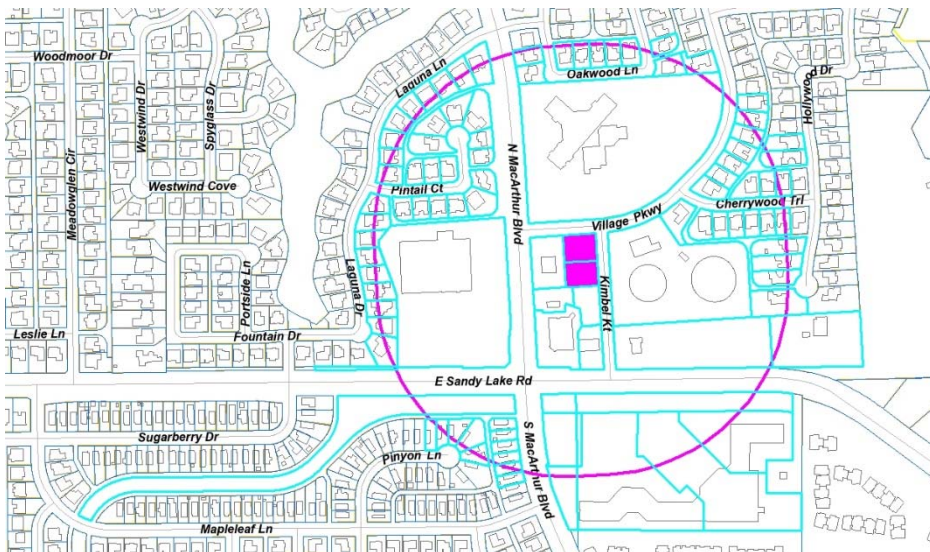
200' – 10 notices



500' - 23 notices

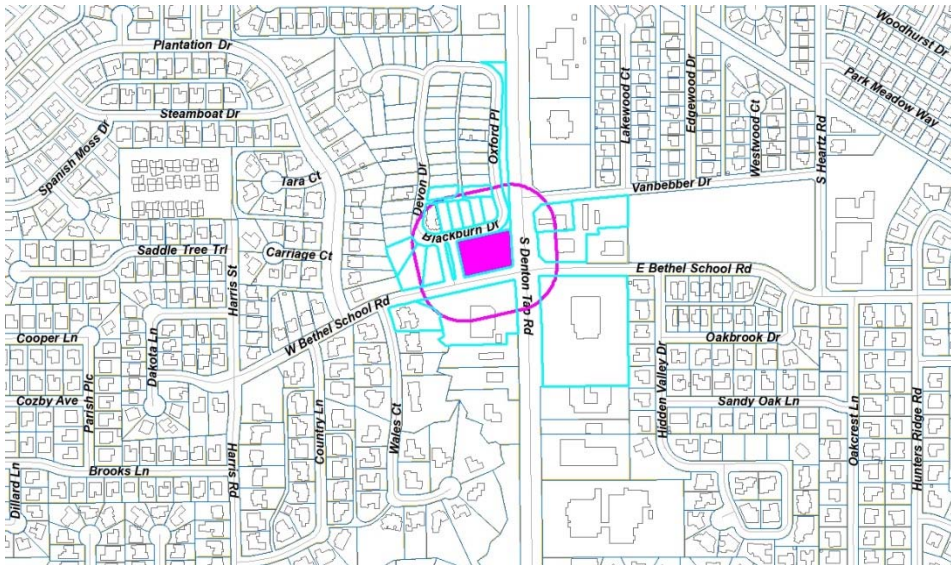


800' – 99 notices

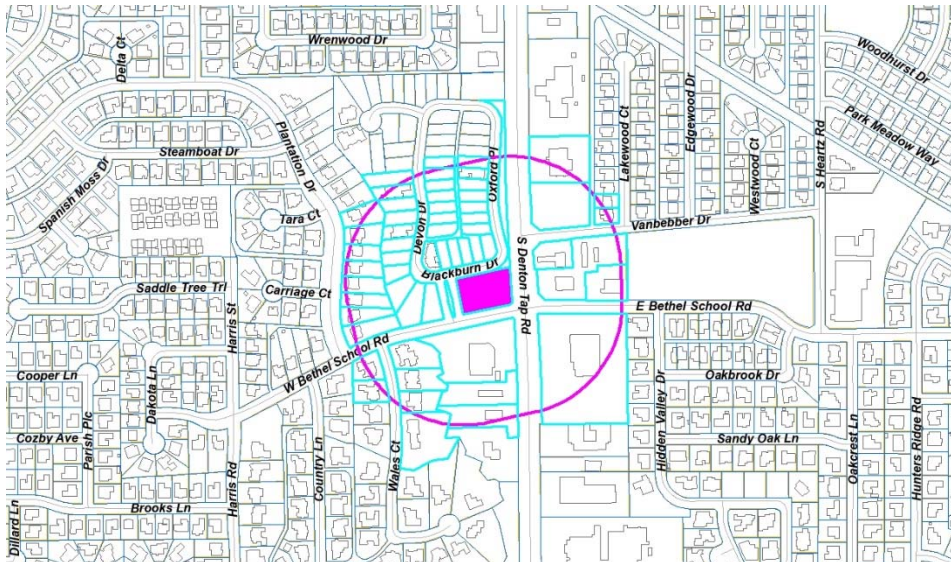




200' – 19 notices



500' - 59 notices



800' -139 notices

