



CITY OF HOUSTON

Planning & Development Department

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Policy Clarification – Notification Requirements

Notification requirements for replats subject to the provisions of section 212.015 of Chapter 212 of the Local Government Code and Chapter 42-49 of Houston's Land Development Ordinance were designed so that property owners who live within a community with single family restrictions will have time to become aware of any proposed platting changes in their neighborhood and be able to voice their support or opposition to these changes to the Planning Commission.

There are three ways that property owners receive notification:

- 1) By letters mailed to adjacent property owners
- 2) By written notice in the newspaper - Houston Chronicle
- 3) By placement of notification sign(s) on the subject property

Common Problems

Not meeting notification posting and mailing dates. If a notification is not posted during the specified time and property owners do not receive the notice letter in the mail by the specified time of the ordinance and the Local Government Code, required notice was not given properly to the neighborhood. Residents would not have had enough time to plan and prepare support/protest and attend the public hearing to voice their concerns.

Not providing correct information on notification letters, newspaper postings or on-premise signage. Incorrect information on notification letters, newspaper postings or on-premise signage will cause residents not to have the correct information to come and voice their concerns at the Planning Commission meeting and become unaware of the platting changes in their neighborhood.

In the past, applicants have requested that the Planning Commission allow for a two week deferral in order to make the necessary correction(s) to the notification requirements. These deferrals oftentimes exacerbate the notification errors and confuse or discourage public participation at the public hearing.

Also, this practice has shortened the number of days that the Commission can deliberate on an item since two deferrals are the maximum allowed by the ordinance.

RE: Policy Clarification – Notification Requirements

Resolutions

Applicants must meet the following requirements:

- 1) Provide to staff photographic proof of the on-site sign being posted on or before the required sign posting date.
- 2) Provide to staff proof that the newspaper notification was published by 1) an affidavit of publication, 2) a scanned copy of the newspaper advertisement that was placed in the newspaper along with the receipt from the newspaper or 3) provide a link to the newspaper that shows the newspaper advertisement and the date that the advertisement notice was published.

These items must be received by staff by the end of the day on or before the 20th day of the established public hearing date. If a public hearing item is deferred, a new photo of the updated sign must be submitted by the end of the day, the Monday following Planning Commission action, or if there is a Monday holiday that is an official City holiday, the Tuesday following Planning Commission action. If these instructions are not fully met staff will recommend that the plat be "disapproved for failing to comply with notification requirements."

Staff will no longer request deferrals due to notification errors, nor will staff support the withdrawal of the application and re-establishment of a new public hearing date at the Planning Commission meeting.

Sincerely,



Vonn Tran
Director
Planning and Development Department