

# AGENDA MATERIAL

DATE 9/17/19 ITEM NOs 26 + 27



## MEMORANDUM

**DATE:** September 13, 2019

**TO:** Honorable Board of Supervisors

**FROM:** Chris Poirier, Deputy Director

**SUBJECT:** Board of Supervisors Meeting September 17, 2019, Agenda Items 26 and 27

Regarding agenda items 26 and 27 scheduled for hearing by the Board of Supervisors on Tuesday, September 17, 2019, staff has inadvertently advertised and noticed that the hearing for these items would be held on *Wednesday*, September 17, 2019 rather than Tuesday. This discrepancy was brought to staff's attention by inquiring neighbors who received mailed notices or may have viewed the hearing notice postings at the rezoning sites. These items were also advertised with this error in the Daily Territorial. Agenda item 26 is a rezoning time extension request. Agenda item 27 is also a rezoning time extension request, but the rezoning will initially be considered by the Board for closure.

Planning staff has clarified the day of the week for the hearings to those who have contacted us and will continue to do so. The Website containing the notices has been updated and also highlights the clarification. Additionally, staff reposted the sites with the correction on Friday, September 13. Staff has not sent corrected mailed notices to property owners within 1,000 feet of the sites due to the late discovery of the error prior to the scheduled hearing date.

If the Board chooses to continue to cases due to the potential confusion, staff will absorb all costs associated with re-notice/continuance fees. However, with the corrections made, the correct date stated from the onset, and in consideration of notice requirements outlined in Pima County Code Title 18.91.060, staff has determined that fundamental notice obligations have been satisfied. The applicants have been informed of this matter.

Staff regrets error and has established further review protocols to avoid similar notice issues in the future.

SFP 13-19M0214PCCKCF-ED  
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